

## **PRIVACY POLICY**

Last updated on July 19, 2018

This is the Privacy Policy (the “Policy”) of The Ocean HC, Inc. and its subsidiary companies (collectively “Ocean”, “we”, or “us”), which applies to the website located at <https://theocean.trade>, its affiliate sites, subdomains, mobile versions, and any associated applications (collectively, the “Website”).

In conjunction with any applicable Terms of Use, this Policy sets out the basis on which any personal data you provide will be collected, processed, used, and stored by us. Please read it carefully. By visiting this Website, you are accepting and consenting to the practices described in this Policy, which may be amended in our sole discretion from time to time. If you use the Website after we have published such changes, you will be agreeing to be bound by those changes. If you do not agree to be bound by this Policy at any time, you should not use the Website.

### **Children**

You must be at least the age of Majority to register with us. Please do not provide any of your details to us if you are under the age of Majority.

**PARENTS PLEASE READ:** We do not permit those under the age of 18 (or older in some jurisdictions, if the age of Majority is older) to participate on or enter the Website.

No information should be submitted to or posted on the Website by any Minor (a user under 18 years of age, or older in some jurisdictions, if the age of Majority is older). If we become aware that you are under 18 and are attempting to or have submitted personal data via the Website, or that you are otherwise a Minor and are attempting to or have submitted personal data via the Website, we will not accept such information and we will take steps to remove such information from our records. This may involve us having to access and verify your age and other relevant details.

Unless otherwise disclosed during collection, we do not knowingly provide any personally identifying information about Minors, regardless of its source, to third parties, nor do we knowingly use such information for any marketing or promotional purposes. Minors are not allowed to participate in contests or sweepstakes on the Website. If you do not satisfy this age requirement, you are not permitted to use or enter the Website.

### **Introduction**

This Privacy Policy explains the following:

- What data we collect about you;
- Analysis tools and our use of cookies on the Website and how you can reject these cookies;
- How we store and process data about you;
- How we use data about you;
- When and how we communicate with you;
- Whether we will disclose personal data about you to anyone else;
- How you can opt-out from receiving communications from us;
- How you can opt-out from our sharing personal data about you;

- How long we may keep personal data about you; and
- How to contact us.

### **What data we collect about you and why**

- When you use the Website, there are different ways we and any service providers who assist us in managing the Website gather information about you.
- We are required to identify users on our platform in compliance with our Know Your Customer/ Anti-Money Laundering (“KYC/AML”) requirements in the jurisdictions in which we operate. We collect and verify information about you in order to: (a) protect Ocean and the community from fraudulent users and (b) to keep appropriate records of our customers.
- All customers who wish to use our services are required to establish an Ocean account by: (a) providing your name, a valid email address, and password; (b) certifying that you are 18 years or older; (c) accepting this Policy and our Terms of Use; (d) verifying your identity by submitting your legal first and last name, date of birth (we will only require a social security number for KYC), email address, country of nationality, address, including city, postal code, and country; (e) submitting a copy of an acceptable form of identification (i.e. passport, state driver’s license, or state identification card); and (f) submitting a picture of yourself or a selfie from your webcam or mobile phone. In our discretion, we may require enhanced due diligence (additional fees and costs may apply).
- This record will be stored and processed in the United States and other countries (see further below under “How we store data about you” and “How we use personal data about you”). All this is necessary for us to recognize you, provide you with the services or information you have requested from us and, where appropriate, to maintain your account with us. In addition to the uses described below, we may also use this information to improve our platform and prevent or detect abuses of our Website. You may also be required to provide personal data to order products or participate in one of our online forums, communities, newsletters, or promotions. You are under no obligation to provide such data. However, if you should choose to withhold requested information, we may not be able to provide you with certain services.
- We may keep a record of any electronic correspondence you send us. This helps us to keep track of any problems or concerns you may have had with our Website or services. Except as described in this Policy, we will not give, sell, rent, or loan any personal Information to any third party.
- Please note that if you comment on a Tweet or Medium post, we may send a direct message to you at the username that you commented with.

### **Analysis Tools and our use of cookies**

- We currently use Google Analytics, Hotjar, Mixpanel, and other third-party analytics companies to analyze how visitors use our Website and to find ways of improving it. To do this, we may use techniques such as Web beacons, pixel tags, clear GIFs, and cookies on the Website; these are files that collect and log site user behavior information including domain names, Internet

Protocol addresses (the number automatically assigned to your computer by your Internet Service Provider), along with usage statistics (e.g., the type of web browser and operating system you use), and certain browsing history. The information collected is transmitted to Google and other third-party analytics companies and used to compile statistical reports for us. The information concerned is not used to track or collect any information which may be used to identify a particular individual. All information is used and held in aggregated or anonymous form.

- We may also use cookies and other technologies to optimize your experience on the Website. Cookies are pieces of information that a website transfers to your hard drive to store and sometimes track information about you. Cookies can be used to recognize users when they return and may help us to customize the Website for you based on your preferences. Cookies may also be used to identify the user's geographic location and enable us to restrict particular services to users in certain countries. Although they do identify a user's computer, cookies do not personally identify user or passwords, and credit card information are not stored in cookies.
- We control how the data collected from our cookies and other technologies may and may not be used on the Website. If you do not want to help us to learn how to improve our Website, products, offers, and marketing strategy, you can "opt-out" of our ability to analyze such data and disable cookies by modifying the settings in your browser. Please note that this might affect some functionality on the Website. For more information about cookies and how to disable them, please go to [www.allaboutcookies.org](http://www.allaboutcookies.org).
- Third-party advertisers on the Website may use cookies and other technologies in their advertisements for statistical purposes; we have no control over cookies placed on the Website by third parties.

### **How we store and process data about you**

This Website is operated in the United States. In order to communicate with you, including about local events, offers, opportunities, and other news, the data that we collect from you may be transferred to, stored, used, and processed by us in the United States or one of our service providers based in United States or outside the United States. Such entities may be engaged in, among other things: (i) preparing and sending newsletters to which you subscribe; (ii) the fulfillment of your orders; (iii) the processing of payment details; and (iv) the provision of support services. If you are visiting this Website from the European Union or other regions with laws governing data collection and use that may differ from United States law, please note that you are transferring your personal data to the United States. The laws of some countries may not provide the same levels of protection of personal data as your home country, particularly if you are resident in the European Union. By submitting data, you agree to the collection, transfer, storage, use, and processing of data about you for the purposes described in this Policy. When you provide personal data to us or our service providers or vendors, you consent to the processing of your data in the United States or one of our service providers outside of the United States. We will take reasonable steps to ensure that data about you is treated securely in accordance with this Policy.

**YOU ACKNOWLEDGE THAT THE LAWS OF THE UNITED STATES TREAT YOUR INFORMATION IN A MANNER THAT MAY BE SUBSTANTIALLY DIFFERENT FROM, AND LESS PROTECTIVE THAN, THE TREATMENT**

REQUIRED UNDER THE LAWS OF OTHER COUNTRIES AND JURISDICTIONS. IF YOU DO NOT WANT YOUR INFORMATION TRANSFERRED TO THE UNITED STATES, THEN YOU SHOULD NOT SHARE YOUR INFORMATION WITH US, OR MAKE USE OF THIS WEBSITE.

YOU EXPRESSLY WAIVE ANY RIGHT YOU MAY HAVE TO REQUIRE US TO TREAT YOUR IDENTIFYING INFORMATION IN ACCORDANCE WITH THE LAWS OF ANY COUNTRY OR JURISDICTION OTHER THAN THE UNITED STATES. YOU FURTHER CONSENT THAT ANY CLAIMS REGARDING YOUR DATA PRIVACY SHALL BE ADJUDICATED UNDER THE LAWS AND IN THE COURTS OF THE UNITED STATES OF AMERICA. HOWEVER, THE FOREGOING WAIVER MAY NOT BE LEGALLY BINDING IN SOME COUNTRIES, SUCH AS THE MEMBER STATES OF THE EUROPEAN UNION. TO THE EXTENT IT IS NOT LEGALLY BINDING IN THE COUNTRY IN WHICH YOU ARE LOCATED, THIS FOREGOING WAIVER DOES NOT APPLY TO YOU.

### **How we use personal data about you**

All the information we collect via our Website, or through correspondence with you, is used to provide you with any information, products, or services you have requested, to operate our business, or to improve the services and products that we offer you. We will use personal data about you for purposes such as:

- Managing the Website and access to it so that it is presented in the most effective way for you and your computer;
- Dealing with orders and accounts for the supply of our goods and services;
- Planning and managing our business activities, including analyzing users' preferences;
- Conducting research;
- Providing you with information about the products and services we offer (subject to your preferences where possible);
- Providing you with information about specially selected third party products and services (if you consent to receive such information on registration);
- Notifying you of any changes to our products and services;
- Providing you with password reminders or to notify you that a particular service has been suspended for maintenance;
- Processing and dealing with any complaints or inquiries made by you; and
- Investigating potentially prohibited or illegal activities.

As described above, data may be shared within Ocean, its subsidiaries, and/or affiliates. There are only a limited number of circumstances in which we may share with others some or all of the data about you that we hold; these are set out below:

- With agents and other third parties who assist us in the services we provide to you by, for example, financial institutions to process authorized payments, hosting sites for sending emails on our behalf, and retail partners on the Website. In these instances, we provide them with the information that they will need to perform their function. Ocean requires these third parties to comply with Ocean's instructions and requires them not to use any personal data for their own business purposes.
- In the event that our business assets are ever sold to, or purchased by, another company or pursuant to a court-approved sale under U.S. bankruptcy law (our data records are part of our business).

- With our joint venture partners.
- If we are under a duty to disclose or share personal data about you in order to comply with any legal obligation, at the request of relevant regulatory or governmental authorities, pursuant to a subpoena or comparable binding request, or in order to enforce or apply the Terms of Use applicable to this Website, or to protect the rights, property or safety of Ocean, its customers, or others.
- Through other services we may make available, such as message boards, chat functionality, and blogs, to which you are able to post information and materials. For example, we may use the blogging platform, Medium. Please note that any information you disclose through such services or otherwise on the Website becomes public information, and may be available to visitors to the Website and to the general public. In addition, when you choose to make a posting on such services certain personal data will be available for other users to view. We urge you to exercise discretion and caution when deciding to disclose personal data about you, or any other information, on the Website. **WE ARE NOT RESPONSIBLE FOR THE USE BY ANY THIRD PARTY OF ANY PERSONAL DATA YOU VOLUNTARILY DISCLOSE THROUGH ANY SUCH SERVICES OR OTHERWISE ON THE WEBSITE.**
- With your express consent.

We may also use and share anonymized, aggregated data, such as access statistics, within Ocean, across Ocean subsidiaries and affiliates, and with third parties such as advertisers. This information will not involve the identification of individual users.

**When and how we communicate with you and how you can opt-out from receiving future communications or from our sharing personal data about you**

We may use the information we collect to contact you by mail, email, and telephone (including automated calls, and by SMS text messages and other multimedia electronic messages such as picture messaging) so as to contact you:

- in relation to the functioning of any services you have signed up for in order to ensure that we can deliver the services to you;
- to provide you with further information;
- in relation to any contribution you have made to the Website, e.g. on our message boards;
- to invite you to participate in surveys about our services;
- for marketing purposes subject to any elections that you have made in this respect;
- about a submission you have made to the Website, including any content you provide.

We will not send you unsolicited premium rate SMS messages (which are SMS messages you pay to receive), although your service provider may impose a charge on any messages that you receive. Please check with your service provider for details.

You will be given the opportunity to opt-out of receiving such marketing information at the point when your details are collected. All promotional information from us will come with instructions on how to opt-out from receiving further information in the future.

You can tell us not to contact you or share information with third parties either at initial registration or later through updates. We may occasionally contact you about products and services we feel may be of

interest to you. This contact will come from us (or our agents or joint venture partners) and only if you have indicated that you do not object to these offers. If you would prefer to no longer receive marketing-related messages from us, or if you would prefer that we not share personal data about you with any of our joint venture partners, then you may opt-out of receiving messages from us or from our future sharing of information about you by following the “unsubscribe” instructions in the latest such message you have received. We will endeavor to comply with your request as soon as reasonably practicable. Please keep in mind that if you opt-out of receiving promotional messages from this Website, we will continue to send you transactional messages and important account-related information regarding this Website or products or services offered through this Website. We also will continue to honor your requests regarding promotional communications from other Ocean websites for which you have subscribed.

Please note that if you opt-out as described above, we will not be able to remove personal data about you from the databases of joint venture partners with which we have already shared personal data about you (i.e., to which we have already provided personal data about you as of the date that we implement your opt-out request). If you wish to cease receiving marketing-related messages from such joint venture partners, please contact such joint venture partners directly or utilize any opt-out mechanisms set out in their respective privacy policies or marketing-related messages.

## **YOUR CALIFORNIA PRIVACY RIGHTS**

A California privacy law that went into effect on January 1, 2005, the "Shine the Light" law, allows California residents to obtain a list of third parties to whom a business has disclosed personal information if it shares such information with third parties for their direct marketing purposes. However, if a business adopts and discloses in its privacy policy a policy of not disclosing customers' personal information to third parties for their direct marketing purposes unless the customer first affirmatively agrees to the disclosure, the business may comply with the law by notifying the customer of his or her right to prevent disclosure of personal information and by providing a cost-free means to exercise that right.

As stated earlier in this Policy, personal information submitted at the time of registration or submission may be used for marketing and promotional purposes only with the user's permission. Whenever a user agrees to allow us to collect personal information, we provide the user with an option to prevent such information from being shared for marketing and promotional purposes with third parties. Furthermore, you may exercise this cost-free option at any time by emailing us at [hello@theocean.trade](mailto:hello@theocean.trade).

Because the Website has a comprehensive privacy policy and provides you with details on how you may opt-in or opt-out of the use of your personal information by third parties for direct marketing purposes, we are not required to provide you with the third-party list.

## **Data over the Internet and other websites**

The Internet is a global network and, therefore, there are times when data about you travels globally and may not always be completely secure. If you provide us with data over the Internet, this will be at your own risk. By using the Website, you agree and authorize us to process data in this way. However, please be assured that we use commercially reasonable procedures and security features to prevent

unauthorized access to data about you. Internet services that are based on blockchain technology, decentralized development and operation, and cryptography tools, are novel and potentially vulnerable to security issues, and you acknowledge and disclaim losses or damages stemming from the risks to your data arising from the use of these technologies.

The Website contains links to third-party websites, such as Metamask or Ledger, to obtain an Ethereum address. Please note that these have been included for convenience only. Neither Ocean nor any of its affiliated companies controls the content or security of any linked site and any personal data collected by such sites will be subject to the privacy policy of the third party operating that site. Please read any such third party's policy carefully before providing any personal data on such websites.

We sometimes may offer content (e.g., competitions, sweepstakes, or promotions) sponsored by or co-branded with identified third parties. By virtue of these relationships, the third parties may obtain personally identifiable information that you voluntarily submit to participate in the Website activity. We are not responsible for and have no control over these third parties' use of this information. However, we will notify you at the time of requesting personally identifiable information if these third parties will obtain such information.

We may use third parties to present or serve the advertisements that you may see on the Website. This Policy does not cover any use of data that a third-party ad server may have collected from you.

### **Offensive or inappropriate content**

If you post or send offensive, inappropriate, or objectionable content anywhere on or to the Website, or otherwise engage in any disruptive behavior on the Website, we may use the personal data we hold about you to stop such behavior. Where we reasonably believe that you are or may be in breach of any applicable laws (for example, but without limitation, content you have posted may be defamatory), we may use the personal data we hold to inform relevant third parties, such as your employer, school, email/Internet provider, or law enforcement agencies about the content and your behavior.

### **Legal disclaimer**

We are neither responsible nor will be liable to you in any way for events beyond our direct control. Because of the complex and constantly changing nature of our technology and business, we cannot guarantee, nor do we represent, that our performance will be error free, and to the maximum extent permitted by law we will not be liable for any direct, indirect, incidental, consequential, or punitive damages, or other loss suffered by you and relating to the use or release of your personal data.

### **How long we will hold personal data about you**

We will hold personal data about you on our systems for as long as is necessary for the relevant service(s), or as long as is set out in any relevant contract you hold with Ocean, subject to any applicable laws and/or regulations. In the case that you wish to cancel your registration as a member of the Website once an account is deleted, the Ocean will not use the personal data other than for

administrative purposes and may retain such data for a period of one year (or longer if required by any applicable laws and/or regulations).

**Further Information; How to contact us**

If you have questions about personal data relating to you, or our privacy policy, or wish to change or update data we hold about you, please contact us at [hello@theocean.trade](mailto:hello@theocean.trade). You can also write us at The Ocean HC, Inc., 594 Dean St., Brooklyn, NY 11238.

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