

## **EKO INVESTMENTS INC.**

### **PRIVACY POLICY**

**Last Updated: February 28, 2024**

Eko Investments Inc. (“Eko,” “we,” “us,” or “our”) welcomes you. We know that data privacy is very important to you. We have created this privacy policy (the “Privacy Policy”) to describe how we collect and process information from and about you through our website located at <https://eko.investments> (the “Website”) our mobile app (the “App”), and when you otherwise interact with us (collectively, the “Services”). The Website and the App are collectively referred to as the “Platform.” Eko is an investment adviser registered with the U.S. Securities and Exchange Commission.

By accepting this Privacy Policy, accessing or using the Services, or otherwise manifesting your assent to this Privacy Policy, you agree to be bound by this Privacy Policy. If you do not agree to (or cannot comply with) all of the terms of this Privacy Policy you may not access or use the Services.

If you are under the age of 18, you may not use our Services.

#### **I. The Information We Collect**

In the course of providing the Services, we may collect or receive the following types of information about you, which may include personal information.

##### **1. Contact and Financial Background Information**

We collect contact information through our Services, which typically includes your name, email address, phone number, residential address, and any information you provide in messages to us (“Contact Information”). We use Contact Information for purposes such as starting your application for an Eko Account, providing you with information about the Services (including updates about your portfolio performance), responding to your inquiries, sending you email alerts (including marketing emails), or providing you with the Services. We will also ask you to provide your birth year, a range of your annual income and liquid net worth, employment status, and funding source, so we can better understand our Clients.

##### **2. Eko and Third-Party Account Information**

Eko is an SEC-registered investment adviser offering investment advice including making personalized portfolios, and monitoring portfolios while also giving users the option to make their own decisions (“Investment Services”). You may obtain Investment Services by opening one or more accounts with Eko, which requires that you provide information in addition to Contact Information such as your date of birth, US tax residency, citizenship or visa status, Social Security Number, residential address, employment status, occupation, employer name and address, source of funding, liquid assets and questions about FINRA affiliation, being politically exposed or ownership of a publicly traded company of your or family members. In order to make personalized portfolios, we will also ask you about your risk appetite, and you

may provide us on a voluntary basis with information about investment topics that interest you (e.g. regional companies, renewable energy companies, tech companies etc.).

You can connect with us in two ways: The first option is to access our Platform through a financial institution or a FinTech company with which you already have a customer relationship (“Third-Party Institutions”). In this case, you can use this institution’s single sign-on to connect with us through their platform, and there is no need to create an extra account with us. If you choose to connect with us this way, we will receive certain information needed to open an investment account (as mentioned in the paragraph above) directly from the Third-Party Institution.

The second option is to open an account with us. In this situation, we will need to receive the information necessary to open an investment account (see above) directly from you. In order to open an account directly with us, you will need to provide us with a sign-in name (“Sign-In Name”), a password (“Password”), and may be required to provide certain additional information that will assist in authenticating your identity when you log-in in the future (“Unique Identifiers” and together with your Sign-In Name and Password, your “Credentials”).

In either scenario, we may refer to you as our “Client,” and your account with us (however accessed) the “Eko Account.” If your application is approved, you will need to enter into an Investment Advisor Contract with us for your Eko Account(s). If you have an Eko Account or have taken steps to apply for one, you may review our Regulation SP Privacy Notice (<https://www.eko.investments/legal/RegulationSPPrivacyNotice.pdf>) for a description of our processing and disclosure activities regarding the non-public personal information that we collect from and about you in connection with opening and servicing Eko Accounts.

### **3. Information obtained automatically from your online activity**

When visitors (“Visitors”) or Clients access or use our Services, we may automatically collect certain information sent to us by the person’s computer, mobile device, tablet, or any other device.

We automatically receive standard technical information when you access or use the Services through use of browser cookies, pixels, web server logs, web beacons, and similar technologies (collectively, “Tracking Technologies”). The information collected enables us to personalize your experience with the Services, understand how you use them, maintain a persistent session, and improve and further develop our Services. Cookies, for example, are small packets of data that a website stores on your computer’s hard drive so that your computer will “remember” information about your visit. In addition to collecting information, we use cookies to help us authenticate users, provide content of interest to you, analyze which features you use most frequently, and measure and optimize advertising and promotional effectiveness. To do this, we may use both session cookies, which expire once you close your web browser, and persistent cookies, which stay on your computer until you delete them. If you do not want cookies placed on your hard drive, you may be able to turn that feature off on your computer or mobile device. Please consult your internet browser’s documentation for information on how to do this. However, if you decide not to accept cookies or other Tracking Technologies, the Services may not function properly. When access to the Services are made available to you through third-party sites, please be aware that these

other sites maintain their own policies regarding Tracking Technologies and the collection and use of information. You are responsible for reviewing those policies.

We may also automatically collect other information when you access or use the Services such as (i) information about the device used (e.g., the type of device, the advertising identifier (“IDFA” or “AdID”)), the operating system and version (e.g., iOS, Android or Windows), carrier and network type (e.g., WiFi, 3G, 4G, LTE); (ii) IP addresses (which may consist of a static or dynamic IP address and will sometimes point to a specific identifiable computer or device); (iii) browser type and language; (iv) referring and exit pages and URLs; (v) date and time of access; (iv) the content viewed; (v) the amount of time spent on particular pages; (vi) what features of the Services are used or visited; (vii) details of any purchases; (viii) click stream information; and (ix) precise geolocation data. We may also evaluate your computer, mobile phone, or other access device to identify any malicious software or activity that may affect the availability of the Services.

#### **4. Information obtained from other sources**

We collect personal information from Visitors and Clients when they access or use our Services. We may also collect or receive your personal information from third parties such as credit bureaus and service providers (e.g., providers of Anti-Money Laundering (“AML”) or Know Your Customer (“KYC”) services), the Third-Party Institutions we partner with (e.g., so we can inform you about our Services), or when you visit, use, or access the Services from third-party websites. We will do so in accordance with the terms of use and privacy policies of the third-party websites and applicable law. This includes any social media pages we may have on third-party services such as Twitter and LinkedIn. For example, we may collect the information you shared on our social media pages through an application or form, which will have a hyperlink to this Privacy Policy. Personal information may also be collected by the third-party social media sites that host our social media pages. These sites may provide aggregate information and analysis to us about their visitors’ use of our social media pages. This allows us to better understand and analyze our user growth, general demographic information about the users of these pages, and interaction with the content that we post. This Privacy Policy does not cover personal information collected by such third-party sites. For more information on their privacy and security practices please review the privacy policies and terms of use on their respective websites. As permitted by applicable law, we may also collect or receive your personal information from publicly available government records, directories, and sources such as courts, tax authorities, government agencies, regulatory authorities, and law enforcement.

#### **5. Information obtained from third-party analytics services**

We use Google Analytics to evaluate your use of the Services, compile reports on activity, collect demographic and geolocation data, analyze performance metrics, collect, and evaluate other information relating to the Services and mobile and internet usage. Google Analytics uses cookies to help analyze such data and provide us with reports. The information used by such analytics services is generally at the aggregate level. Google may associate such data with visitation information collected from the Website.

For more information on Google Analytics, including how to opt-out from certain data collection, please visit the site below. Please be advised that if you opt out of any service, you may not be able to use the full functionality of the Services.

- For Google Analytics, please visit:

<https://support.google.com/analytics/answer/6004245?hl=en> and  
<https://tools.google.com/dlpage/gaoptout>

You may also control the collection of geolocation information through the user settings on your device. Please be sure to manage your mobile device and privacy preferences on an ongoing basis.

## **II. Information Use and Sharing**

We use and share your personal information as set forth below:

- To onboard you as a Client, including identity verification, credit, AML, KYC checks, or other due diligence efforts;
- To provide the Services including servicing, maintaining and protecting your Eko Account, and processing transactions in and from your Eko Account;
- To share with your Third Party Institution the date, frequency, and amount of money invested and/or withdrawn from your Eko Account;
- To monitor, support, analyze, and improve the Services;
- To communicate with you regarding the Services and your Eko Accounts;
- To fulfill your requests for information regarding new or improved products and services;
- To conduct marketing and advertising programs, provided that, where required under applicable law, we will obtain your prior opt-in consent to send electronic marketing communications;
- To receive assistance from third-party advertisers and remarketers for the purpose of tailoring, analyzing, managing, reporting, and optimizing advertising you see on the Website and elsewhere;
- To engage research, project planning, troubleshooting problems, and detecting and protecting against error, fraud, or other criminal activity;
- To protect the safety and security of our Services, businesses and Clients;
- To third-party contractors and service providers that provide services to us in the operation of our business and assistance with the Services, such as administrators, broker/dealers, custodians, marketing and advertising companies, payment processors, consulting service organizations, IT and cloud service providers, among others;
- To disclose aggregated, anonymous, user statistics and other information to (i) affiliates, agents, business partners, and other third parties; (ii) describe the Services to current and prospective business partners; and (iii) other third parties for lawful purposes;
- To share some or all of your information with our parent company and affiliates;
- To fulfill our legal and regulatory requirements;
- To comply with applicable law, such as to comply with a subpoena or similar legal process, and when we believe in good faith that disclosure is necessary to protect our rights, protect your safety or the safety of others, investigate fraud, or respond to a government request;

- To assess or complete a corporate sale, merger, reorganization, sale of assets, dissolution, investment, or similar corporate event where we expect that your personal information will be part of the transferred assets; and
- Otherwise, with your consent.

We will take reasonable measures (e.g., by contract) to require that any party receiving any of your personal information from us, including for purposes of providing the Services, undertakes to: (i) retain and use such information only for the purposes set out in this Privacy Policy; (ii) not disclose your personal information except with your consent, as permitted by applicable law, or as permitted by this Privacy Policy; and (iii) generally protect the privacy of your Personal Information.

Additionally, brokerage and custodial services are provided through independent third parties that are not affiliated with Eko, do not offer investment, financial, legal or tax advice to Eko Clients, and may operate under their own privacy policies.

### **III. User Access and Choice**

If the personal information on file for you changes, or if you no longer desire our Services, you may correct or update it by making the change in your Eko Account, or by contacting us under Section XII (“Contacting Us”) of this Privacy Policy.

You may manage your receipt of marketing and non-transactional communications by clicking on the “unsubscribe” hyperlink located on the bottom of any of our marketing emails. Please note that Eko Account holders cannot opt out of receiving transactional emails related to their Eko Accounts.

We will use commercially reasonable efforts to process such requests in a timely manner. You should be aware, however, that it is not always possible to completely remove or modify information in our databases. We will retain and use your information as necessary to comply with our legal and/or regulatory obligations, resolve disputes, and enforce our agreements.

### **IV. External Websites and Third Parties**

Unless explicitly stated otherwise, our Privacy Policy addresses only our use and disclosure of information we collect from and/or about you in your interactions with Eko. If you choose to disclose information to third parties, the use and disclosure restrictions contained in this Privacy Policy will not apply, as we do not control the privacy policies of such third parties, nor are we subject to them.

The Services may also contain hyperlinks to other third-party websites or apps (“Other Properties”). We have no control over the privacy practices or the content of any of our business partners, advertisers, sponsors, or Other Properties to which we provide hyperlinks. As such, we are not responsible for the content or the privacy policies of those Other Properties. You should check the applicable third-party privacy policy and terms of use when visiting any Other Properties.

### **V. Security**

We follow commercially reasonable and generally accepted standards to protect the personal information submitted to us, both during transmission and once we receive it. Please understand, however, that no method of transmission over the internet, or method of electronic storage, is 100% secure. Therefore, we cannot guarantee its absolute security. If you have any questions about security regarding our Services, please contact us.

## **VI. Children’s Privacy**

Our Services are only available to individuals aged 18 or older, and we do not knowingly collect personal information from any person under the age of 18. If an individual under the age of 18 has provided us with Personal Information, a parent or guardian of that child may contact us and request that such information be deleted, and we will endeavor to delete that information from our databases.

## **VII. Do Not Track**

As discussed above, third parties such as advertising networks and analytics providers may collect information about your online activities over time and across different websites when you access or use the Services. Currently, various browsers offer a “Do Not Track” option, but there is no standard for commercial websites. At this time, we do not monitor, recognize, or honor any opt-out or do not track mechanisms, including general web browser “Do Not Track” settings and/or signals.

## **VIII. Notice to California Residents**

Under California’s “Shine the Light” law (Civil Code Section § 1798.83), residents of California have the right to obtain certain information about the types of personal information that companies with whom they have an established business relationship (and that are not otherwise exempt) have shared with third parties for direct marketing purposes during the preceding calendar year, including the names and addresses of those third parties, and examples of the types of services or products marketed by those third parties. If you wish to submit a request pursuant to Section 1798.83, please contact us via email at [hello@eko.investments](mailto:hello@eko.investments).

## **IX. Notice to Nevada Residents**

We do not sell your personal information as defined under Nevada law. Nonetheless, if you are a resident of Nevada, you have the right to opt-out of the sale of certain personal information to third parties. You can exercise this right by emailing us at [hello@eko.investments](mailto:hello@eko.investments) with the subject line “Nevada Do Not Sell Request” and providing us with the credentials of your banking account.

## **X. Notice to Non-US Residents**

Our Website is hosted in the United States. Please be aware that your information may be transferred to, processed, maintained, and used on computers, servers, and systems located outside of your state, province, country, or other governmental jurisdiction where the privacy laws may not be as protective as those in your country of origin. If you are located outside the United States and choose to visit our Website, you do so at your own risk.

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

This Privacy Policy is effective as of the date stated at the top of this Privacy Policy. We may update this Privacy Policy from time to time without notice to you. We will indicate at the top of this Privacy Policy when it was most recently updated, and we encourage you to revisit this page periodically to stay aware of any changes. By accessing the Services after we change this Privacy Policy, you are deemed to have accepted such changes.

## **XII. Contacting Us**

If you have any questions about our Privacy Policy, our privacy practices, or if you would like to exercise your rights and choices, please contact us as set forth below:

Eko Investments Inc.

Website: <https://eko.investments>

E-mail: [hello@eko.investments](mailto:hello@eko.investments)

Postal address: 228 East 45th Street, Suite 9E, New York, NY 10017