

Online Privacy Policy - EarlyBird

Last Updated: October 15, 2022

At EarlyBird Central, Inc. (“EarlyBird,” “we,” or “us”), we are committed to protecting the personal information that we have obtained about you. This online Privacy Policy (the “Statement” or “Privacy Policy”) describes how we collect, use, share, and protect the personal information we collect from you through our website, mobile application, and services (collectively, the “Site” or “Services”), when we engage with you as a customer, or otherwise,

For purposes of this Privacy Policy, personal information means data that classifies as personal information, personal data, nonpublic personal information, or equivalent term under applicable data privacy and security laws and regulations. It does not include data excluded or exempted from those laws and regulations. Nothing in this Statement will constitute an admission or evidence that any particular law or regulation applies to EarlyBird generally or in any specific context.

Your Consent to This Privacy Policy

You should read this Privacy Policy carefully. We recommend saving and retaining a copy for your future reference. By accessing, browsing, using the Site, or otherwise engaging with us, you confirm that you have read, understood, and agree to this Privacy Policy and the [Terms of Use](#), as well as any other applicable terms or agreements. If you do not agree to this Privacy Policy, then you may not use our Site or services.

We may provide you with additional privacy notices where we believe it is appropriate to do so. For example, we also have a [GLBA Privacy Notice](#), which provides additional information regarding how we may collect, use, and share financial information, and your choices with respect to that information. It is important that you read this Statement together with any other privacy notice so that you are fully aware of how and why we are using your data. This Statement supplements other notices and is not intended to override them.

If you have any questions or concerns about our personal information policies or practices, you can contact us in the methods described below in the “**How to Contact Us**” section.

Information Collected from You

We collect personal information directly from you, such as when you open an account. We also collect information when you interact with the Site, for example, through the use of cookies. We may also collect information about your cryptocurrency portfolio from third parties, including but not limited to cryptocurrency exchanges, mailing list providers, and publicly-available sources.

In this section, we will outline the various ways and information collected.

Information You Provide

- *When You Open an Account.* We collect personal information from parents in order to facilitate the creation of custodial accounts or Uniform Gifts to Minors Act (“UGMA”) accounts for your children, and allow family and friends to gift financial investments into your children's investment portfolio. This information may include:
 - Contact information such as name, email address, home address, phone number;
 - Billing and financial information such as credit card number, billing address, bank or brokerage account numbers, and social security numbers;
 - Account information, such as user name, password, and personal identification number;
 - Other information you voluntarily provide, including your profile picture, video content, and other such information you upload to the Site.
 - In order to create an account for a child, we may require the parent or legal guardian of the child to supply certain information about the child, including the child’s name, date of birth, Social Security number, and picture (optional). We understand the sensitivity of your child’s personal information and will limit our use of it to provide you with the services;
- *When You Send Gifts to an Account.* We allow EarlyBird users that are not opening custodial investment accounts to send gifts. In those instances, we will need to collect information such as the giver’s name, email address, phone number, and financial information such as bank or brokerage account numbers. We also collect other information you voluntarily provide as part of your gift or as part of our Moments program, such as your profile picture, video content, and other related information that you upload to the Site;
- *When You Create or Interact with a Moment.* We offer a feature, called Moments, which allows Custodians to add photos or videos of their children to build a timeline of moments and milestones in the life of their child. Custodians may also invest in the moment or share the moment through our Services or externally through a public link. We may collect any information that you voluntarily upload through this Moments feature, including identifiers, pictures, video, financial information, and any additional related information that you upload to the Site. Please note that any information you share publicly regarding a Moment will be available generally to the public;

- *Social Media.* If you interact with us by sharing on a social media platform, we may collect information that you post. Please note that your comments will be visible to the public, so you should never share personal information that you would like to keep private;
- *Job Applications and Employment.* If you apply for a job with or are employed by us, we will collect various pieces of information about you;
- *When You Contact Us.* If you send us an email, we will collect your email address and any information that you provide in the email.

Information From Third Parties

We may collect information about you from third parties, such as:

- Contact information received from account holders or gift givers when they voluntarily provide us with information stored in their “Contacts” or identify you in connection with the gift they have given.
- Analytical information about how you interact with our brands on social media, including interactions with marketing campaigns performed by social media influencers.
- Information from our business partners.
- Information from our service providers, such as our payment processors Dwolla and Plaid, our investment account manager Apex Systems, and our cryptocurrency wallet provider Gemini, including but not limited to API keys, cryptocurrency asset allocation, configuration settings, and user referrals. More information regarding the information received from Dwolla and Plaid can be found below in the “**Payment Processors**” section.
- Supplemental information that we collect about you from third-party data providers, such as consumer reporting agencies or government records.

Information We Collect As You Navigate Our Site

We automatically collect certain information as you use the Site, such as the following:

- *Usage Information.* We may collect information automatically through your use of the Site, such as which of the pages on the Site you access, the frequency of access, and what you click on while on our Site.
- *Device Information.* We may collect information about the device you are using, such as hardware model, operating system, application version number, browser, and IP addresses.

- *Mobile Device Information.* When you access our Site via a browser on your mobile device, we may also collect mobile network information, including telephone number, the unique device identifier assigned to that device, mobile carrier, operating system, and other device attributes.
- *Location Information.* We may collect information about your actual location which may be determined from GPS and other sensors that may reveal information on or nearby devices, Wi-Fi access points, and cell towers.

How Do We Use “Cookies” and Other Tracking Technologies?

We may send one or more Cookies to your computer or other device. We also use other similar technologies such as tracking pixels, tags, or similar tools when you visit our Site. These technologies can collect data regarding your operating system, browser type, device type, screen resolution, IP address, and other technical information, as well as navigation events and session information as you interact with our Site. This information allows us to understand how you use the Site.

What Are Cookies?

Cookies are small files created by websites, including our Site, that reside on your computer’s hard drive and that store information about your use of a particular website. When you access our Site, we use Cookies and other tracking technologies to:

- Estimate our audience size and usage patterns;
- Store information about your preferences, allowing us to customize our Site according to your individual needs;
- Contact you to provide you with information or services that you request from us;
- Advertise new content, events, and services that relate to your interests;
- Provide you with more personalized content that is most relevant to your interest areas; and
- Recognize when you return to our Site

We set some Cookies ourselves and others are set by third parties. You can manage your Cookies preference as described in the “**Managing Your Cookies**” section below.

What Types of Cookies Do We Use and Why?

These are the different types of Cookies that we and our service providers use on the Site:

Types of Cookies	Purpose	Who Serves (for example)
Essential	These Cookies are required for the operation of the Services and enable you to move around the Services and use its features. Disabling these Cookies can negatively impact the performance of Services.	EarlyBird Adobe: Privacy center Google: Privacy ; opt-out
Functionality	These Cookies are used to recognize you when you return to the Site. This enables us to personalize content for you and remember your preferences. These Cookies also enable your interactions with the Services such as emailing us.	EarlyBird Adobe: Privacy center Google: Privacy ; opt-out Intercom: Cookies
Analytics, Performance, and Research	These Cookies, beacons, and pixels allow us to analyze activities on the Services. They can be used to improve the functioning of the Services. For example, these Cookies recognize and count the number of visitors and see how they move around the Services. Analytics Cookies also help us measure the performance of our advertising campaigns to help us improve them and to optimize the content on the Services for those who engage with our advertising. They may also allow us to understand how you navigate the website by tracking clicks, mouse movements, and related information as users interact with our Services.	EarlyBird Adobe: Privacy center Amplitude: Privacy Facebook: Privacy controls Google: Privacy ; opt-out Segment: Privacy VMO: Privacy ; cookies UX Cam: Privacy
Social Networking	These Cookies are used to enable you to share pages and content that you find interesting on our Services through third-party social networking and other websites. These Cookies may also be used for advertising purposes.	Facebook: Privacy controls Google: Privacy ; opt-out TikTok: Privacy ; cookies
Advertising	These Cookies and pixels are used to deliver relevant ads, track ad campaign performance, or track email marketing.	Adobe: Privacy center Facebook: Privacy controls Google: Privacy ; opt-out Segment: Privacy TikTok: Privacy ; cookies

How Long Do Cookies Stay on My Device?

Some Cookies operate from the time you visit the Site until the end of that particular browsing session. These Cookies, which are called “session cookies,” expire and are automatically deleted when you close your Internet browser.

Some Cookies will stay on your device between browsing sessions and will not expire or automatically delete when you close your Internet browser. These Cookies are called “persistent cookies” and the length of time they will remain on your device will vary from Cookie to Cookie. Persistent Cookies are used for a number of purposes, such as storing your preferences so that they are available for your next visit and to keep a more accurate account of how often you visit the Site, how your use of the Site may change over time, and the effectiveness of advertising efforts.

Managing Your Cookies

It may be possible to block Cookies by changing your Internet browser settings to refuse all or some Cookies. If you choose to block all Cookies (including essential Cookies) you may not be able to access all or parts of the Site.

You can find out more about Cookies and how to manage them by visiting www.AboutCookies.org.

Does the Website Respond to “Do Not Track” Signals?

There is currently no industry agreed-upon response to a Do Not Track signal. At this time, our Site does not respond differently based on a user’s Do Not Track signal.

How We Use Personal Information

We use personal information we collect about you or that you provide to us in the following ways:

- To present our Site and its contents in a suitable and effective manner for you and your device.
- To provide you with the services and information that you request from us.
- To improve our operations and improve the Site and services we provide to you.
- To advertise opportunities, services, or products that we think may be of interest to you.
- To provide customer support, manage your account, troubleshoot issues, manage accounts, and respond to requests, questions, or comments.

- To comply with our legal and regulatory requirements, prevent fraud, and to carry out our obligations and enforce our rights arising from any contracts.
- To notify you about any additions, upgrades, or changes in our services.
- For any purpose for which you provide consent.

How We Share Personal Information

We may share your personal information:

- With third parties who perform data services on our behalf (*e.g.*, hosting, maintenance, backup, analysis, etc.). Any such third parties will be under an obligation to us to maintain the confidentiality of your personal information.
- To third-party service providers to prepare, disseminate and analyze advertising content.
- With our business partners in connection with the Services you request, joint marketing campaigns, or so that they can advertise other opportunities, services, or products that they think may be of interest to you.
- To the extent that we are required to do so by law or governmental authority or in connection with any pending or prospective legal proceedings.
- To establish, exercise, or defend our legal rights, including providing information to others for the purposes of fraud prevention.
- To any person who we reasonably believe may apply to a court or other competent authority for disclosure of that personal information where, in our reasonable opinion, such court or authority would be reasonably likely to order disclosure of that personal information.
- To third parties as part of any actual or potential transaction, business, or asset sale, to actual or potential investors, or in connection with any other potential change in corporate ownership or structuring.
- In the event of bankruptcy or dissolution proceedings, as part of the sale or reorganization process.
- To any other person or entity where you consent to the disclosure. Please note that by sharing or otherwise publicly posting links to Moments or other information you have uploaded to our Services, you consent to the disclosure of this information.

Advertising and Marketing Choice

We respect your rights in how your personal information is used and shared. If at any time you would like to unsubscribe from receiving future emails, you can email us at: support@getearlybird.io as well as follow the instructions at the bottom of each email and we will promptly remove you from all correspondence. Please note, however, that we may still need to contact you regarding other matters.

Referral Program

If you wish to refer friends or family members to EarlyBird, you may share your referral link individually with those friends or family members.

EarlyBird does not directly collect any personal information from your friends or family members when you share your referral link with them. Personal information is only collected if the referral chooses to sign up with EarlyBird. You will, however, receive certain communications from us about your referrals. For example, you will be notified if your friend or family member signs up for EarlyBird. We may also use the referral link for the purposes of crediting their/your account with any referral offer to which you may both be eligible.

Payment Processors

EarlyBird uses Dwolla, Inc. (“Dwolla”) to facilitate ACH transactions in connection with our services. If you sign up for EarlyBird’s services, you expressly consent to EarlyBird sharing your contact and billing data with Dwolla for the purposes of opening and supporting your account. You are responsible for the accuracy and completeness of that data. To learn more about Dwolla’s privacy practices, visit their website at <https://www.dwolla.com/legal/privacy>.

We also use Plaid Technologies, Inc. (“Plaid”) to gather your data from financial institutions. This data may include information from all your sub-accounts (e.g., checking, savings, and credit card) accessible through a single set of account credentials, even if only a single sub-account is designated by you. By using our services, you grant us and Plaid the right, power, and authority to act on your behalf to access and transmit your personal and financial information from the relevant financial institution. You agree to your personal and financial information being transferred, stored, and processed by Plaid in accordance with the Plaid Privacy Policy (<https://plaid.com/legal>).

We may also use Stripe, Inc. to allow us to process debit and credit card payments through our Services. Stripe collects and processes personal data, including your financial information and identifiers, to quickly and securely process your payments. Stripe may use the information it collects to operate and improve the services it provides to us, including by providing fraud detection and prevention. You can learn more about Stripe and its processing of your data by visiting its privacy policy at <https://stripe.com/privacy>.

Links to Other Websites and Services

The Site may contain links to outside services and resources, the availability and content of which EarlyBird does not control. We are not responsible for examining or evaluating, and we do not warrant the offering of these services and resources or the content of these websites.

EarlyBird does not assume any responsibility or liability for the actions, products, and content of these and any other websites, nor do we make any representations regarding the security or privacy practices of those third parties. Any concerns regarding any such services or resources should be directed to the relevant third parties.

Protecting Personal Information

The security of your personal information is important to us. We take various reasonable organizational and technical measures to protect your personal information from unauthorized access, disclosure, alteration, or destruction. If required by law to do so, we will notify you and/or the relevant supervisory authority in the event of a data breach.

However, we cannot and do not guarantee complete security, as it does not exist on the Internet.

Children's Personal Information

Our services are not intended for use by children. We do not knowingly collect personal information from children under the age of 18 years. Please contact us if you believe we may have unknowingly collected information from a child under 18 years of age, and we will take steps to delete any such personal information.

Your Personal Information and Your Rights – Europe Only

If you are an individual in a country in the European Union, you have the right to make requests to:

- Access the personal information we keep about you;
- Rectify inaccurate personal information;
- Place restrictions on our use of your personal information;
- Object to our use of your personal information;
- Ask us to delete the personal information about you we hold;
- Have your personal information transferred to you or another party of your choosing;

- Not be subject to decision-making based solely on automated processing, including profiling, which produces legal effects concerning you or which significantly affects you; and
- Make a complaint to the relevant supervising authority.

We describe these rights more fully below.

Asking us to access your personal information

You have the right to obtain from us confirmation as to whether or not we are processing personal information about you and, if so, the right to be provided with the information contained in this Privacy Policy. You also have the right to receive a copy of the personal information undergoing processing.

Asking us to rectify your personal information

You have the right to ask us to rectify any inaccurate personal information about you and to have incomplete personal information completed.

Asking us to restrict our use of your personal information

You have the right to ask us to place a restriction on our use of your personal information if one of the following applies to you:

- You contest the accuracy of the information that we hold about you, while we verify its accuracy;
- We have used your information unlawfully, but you request us to restrict its use instead of erasing it;
- We no longer need the information for the purpose for which we collected it, but you need it to deal with a legal claim; or
- You have objected to us using your information, while we check whether our legitimate grounds override your right to object.

Objecting to our use of your personal information

You have the right to object to our use of your personal information where our reason for using it is based on our legitimate interests or your consent (rather than when the reason for using it is to perform an obligation due to you under a contract with us).

Asking us to delete your personal information

You can ask us to delete your personal information if:

- We no longer need it for the purposes for which we collected it;
- We have been using it with no valid legal basis;
- We are obligated to erase it to comply with a legal obligation to which we are subject;
- We need your consent to use the information and you withdraw consent;
- You object to us processing your personal information where our legal basis for doing so is our legitimate interests and there are no overriding legitimate grounds for the processing.

However, this right is not absolute. Even if you make a request for deletion, we may need to retain certain information for legal or administrative purposes, such as record keeping, maintenance of opt-out requirements, defending or making legal claims, or detecting fraudulent activities. We will retain information in accordance with the “**How Long Is Your Personal Information Kept**” section below.

If you do exercise a valid right to have your personal information deleted, please keep in mind that deletion by third parties to whom the information has been provided might not be immediate and that the deleted information may persist in backup copies for a reasonable period (but will not be available to others).

The right to transfer your personal information to another service provider

You may request that we transfer some of the personal information you have provided to you or another service provider in electronic copy. This applies to personal information we are processing to service a contract with you and to personal information we are processing based on your consent.

Automated decision-making

To the extent we engage in decision-making based solely on automated processing, including profiling, which produces legal effects concerning you or which significantly affects you, you have the right not to be subject to such decision-making.

Making a complaint

If you have any concerns or complaints regarding our processing of your personal information, please contact us as described in the “**Contact Us**” section below and we will do our best to answer any question and resolve any complaint to your satisfaction.

If, for whatever reason, you feel we do not meet the standards you expect of us, you are also entitled to make a complaint to your local supervisory authority. The EU Commission has list of supervisory authorities [here](#).

Legal Bases for Processing Your Personal Information – Europe Only

If you are in a country in the European Union, you may be entitled to an explanation of the legal bases we rely on to process your personal information. The legal basis for collecting and using the personal information described above will depend on the personal information concerned and the specific context in which we collect it, which is discussed below.

Consent

We may process your personal information based on your consent such as when you purchase a service or ask us to send you certain kinds of marketing communications. You have the right to withdraw your consent at any time without affecting the lawfulness of the processing based on consent before its withdrawal.

Our Legitimate Interests

We may process your personal information if doing so is necessary for our legitimate interests and your rights as an individual do not override those legitimate interests. For example, when we process your personal information to carry out fraud prevention activities and activities to increase network and information security, identify usage trends, determine the effectiveness of promotional campaigns, expand our business activities and improve our services and the content and functionality of our Site.

To Perform a Contract

We may process your personal information to administer and fulfill contractual obligations to you.

To Enable Us to Comply With a Legal Obligation

We may process your personal information to comply with legal obligations to which we are subject. This may include any requirement to produce audited accounts, any legal obligation to share information with law enforcement agencies, public or governmental authorities, and to comply with legal process.

Necessary for the Exercise or Defense of Legal Claims

If you bring a claim against us or we bring a claim against you, we may process your personal information in relation to that claim.

We are the data controller of all personal information collected from residents of the European Union. If you have any questions about or need further information concerning the legal basis on which we collect and use your personal information for any specific processing activity, please contact us using the “Contact Us” section below.

How Long Is Your Personal Information Kept

We retain your personal information to the extent it is necessary for the purpose for which it was collected. We will delete your personal information when it is no longer necessary for the purpose for which it was collected, or upon your request, subject to exceptions as discussed in this Privacy Policy or under applicable law, contract, or regulation.

If you use our mobile application, you can delete your account by submitting a request to support@getearlybird.io. However, as an SEC-registered investment advisory firm, we have certain legal obligations to retain some data for regulatory compliance purposes. To the extent your account includes such data, we will retain it only for legal compliance purposes and not use it for any other purpose. We will also delete any data not subject to the regulatory retention requirement.

Cryptocurrency Wallets

You may choose to gift cryptocurrencies, such as Bitcoin and Ethereum, through Gemini. Investing in or gifting cryptocurrencies may be subject to additional privacy and data terms, which may be found in our Terms of Use [here](#).

Changes to Our Privacy Policy

This Statement may change from time to time. We will post any changes to this Statement on this page, and you should check these terms when you use the Services. Your continued use of the Services constitutes acceptance of the most current version of this Statement.

How to Contact Us

For additional information or questions, please contact us at: support@getearlybird.io.