



UTP PLAN PRIVACY POLICY

Nasdaq, as Administrator of the UTP Plan, is committed to protecting Personal Information and complying with applicable privacy requirements in a trustworthy, transparent and responsible manner.

This Privacy Policy describes how Nasdaq, Inc., as Administrator of the UTP Plan, and its subsidiaries and affiliates (collectively, "Nasdaq," "we," "our" or "us") collects, uses and discloses Personal Information about individuals (collectively, "users" or "you") receiving or inquiring about UTP Plan products and services. As used in this Privacy Policy, Personal Information means any information relating to an identified or identifiable natural person; Personal Information is intended to cover all information subject to personal data processing and privacy laws applicable to the UTP Plan.

The Privacy Policy also describes your rights, where applicable, and how to exercise them. You may contact us at any time with questions related to our Personal Information processing and privacy via email at admin@utpplan.com. In some instances, we may post or provide materials that provide further description of Personal Information processing related to certain products and services. We may also post information about how we comply with specific Personal Information laws or regulations like European Union or United States privacy laws. Such materials are for informational purposes only and are not intended as an exhaustive listing of Personal Information processing related to the product and service. The materials should not be construed as modifying this Privacy Policy.

BRIEF OVERVIEW

Information we collect about you	We may collect Personal Information and Device Information (defined below) (collectively, "information") about you in connection with your (or your employer's) receipt of products or services, including information necessary to fulfill our contractual obligations or to establish or maintain a business relationship with us; your registration, use, purchase, or inquiries on or about UTPPlan.com or sites utilized by the UTP Plan or sites that link to this Privacy Policy; the pursuit of our legitimate business interests; and/or, to comply with applicable law. Click [here] to learn more.
How we use your information	We may use your information to provide services; respond to inquiries and provide customer support and technical assistance; communicate with you; process transactions; improve, develop, provide content for, operate, deliver and market our products, service or sites; comply with our company policies and procedures and with applicable law; ensure proper and authorized use of the sites; perform Site tracking and analysis; and, as otherwise permitted by applicable law. Click [here] to learn more.
Automated decision-making	We do not process Personal Information for automated decision making in a manner that has legal or similarly significant effects on the individual. Click [here] to learn more.
How we share your information	We may share your information with business partners or service providers when we believe it necessary to protect or enforce our rights or the rights of another user, and as otherwise permitted by law. We do not sell or share information with third parties so that they can independently market their own products or services to you. Click [here] to learn more.
Your Rights Regarding Your Personal Information	We provide you with the opportunity to be informed of whether we are processing your information and to access, correct, update, oppose, delete, block, limit or object, upon request and free of charge, to our use of your Personal Information to the extent required by applicable law. Click [here] to learn more.
Security of Your Information	We maintain commercially-reasonable technical, administrative and physical security measures to protect your information. Click [here] to learn more.
International Transfers	We may transfer your information outside of your home country. To protect such information, any such international transfers will be made in accordance with applicable law. Click [here] to learn more.
Our Retention of Your Information	We retain your information to fulfill the purpose for which it was collected, comply with record retention requirements that apply to our business and where required to address legal or compliance matters affecting the information. Click [here] to learn more.
Use of Sites by Children	Our sites are not intended for use by children under the age of sixteen. Click [here] to learn more.
Changes to this Privacy Policy	You will be notified about any material changes to this Privacy Policy via a posting on our sites, and as otherwise required by applicable law. Click [here] to learn more.
Contact Us	If you have questions about this Privacy Policy or wish to exercise your rights regarding Personal Information, please contact us at admin@utpplan.com or one of the other points of contact listed in this Privacy Policy. Click [here] to learn more.

INFORMATION ABOUT HOW THIS POLICY APPLIES TO OUR GLOBAL COMPANY

For purposes of data protection laws, except where this Privacy Policy does not apply, as described below, the UTP Plan Administrator will be the “controller” of your Personal Information, although contact and other information may be accessible to other Nasdaq entities, to the extent permitted by law, regulation, and the administrative services agreement of the UTP Plan.

INFORMATION WE COLLECT FROM YOU OR YOUR REPRESENTATIVE

We only collect information from you/your representative or about you that is reasonably necessary for us to provide the relevant product or service, business relationship and/or communication consistent with the nature of such product, service, business relationship and/or communication. Based on the specific products, services, business relationships or sites involved as well as requirements under applicable law, we may collect the following categories of personal information (“Personal Information”) that you or your representative (such as your employer, financial services provider, legal representative, company where you are an officer, director or significant shareholder) provide to us:

- Name;
- Email address;
- Telephone number;
- Mailing address;
- Company;
- Title;
- Business contact information;
- Employment, company officer or director, or shareholder status;
- Tax or National Identification Number;
- Date of birth;
- Trader identification, client identification or trading “short code”;
- Career or professional history and educational background;
- Your recorded voice (where you are advised in advance of the recording);
- Photograph;
- Payment information (e.g., bank account or credit card number);
- Username and password;
- Passport or government issued identification information (such as for security purposes when visiting our facilities); and
- Any other Personal Information you or your representative volunteers on or provides access to via any or our sites and/or any Nasdaq community forum, social media offering or blog.
- We may also automatically collect the following categories of information from devices (e.g., mobile, computer, laptop, tablet) used to visit or use our sites (“Device Information”):
 - IP address;
 - Device identifier;
 - Log files;
 - Cookies;
 - Clear gifs;
 - Flash LSOs; and
 - Other information as described in our Cookies Policy (Click [\[here\]](#) to view our Cookies Policy).

Certain Device Information may be deemed Personal Information in accordance with applicable law. Personal Information and Device Information are collectively referred to as “information.”

INFORMATION WE COLLECT ABOUT YOU

Based on the specific products, services, business relationships or sites involved (as well as requirements under applicable law), we may collect the following categories of Personal Information on our own or from third parties about you in accordance with applicable law:

- Information about you available in news feeds, exchange data feeds and other public data sources (including the public internet);
- Information provided by relevant regulators, government agencies and non-government credentialing or professional organizations;
- Information related to your status under economic sanctions, anti-money laundering and similar laws or other information that may impact our ability to engage in business with you or a company at which you are an employee, officer or director or significant shareholder;
- Information that you, your employer or other representative makes publicly available via your personal or company website or in social media profiles;
- Information related to your professional activities (such as consulting to public retirement funds) that is contained in documents released by a governmental body under Freedom of Information Act, Open Government License or similar laws and regulations;
- Information from event organizers for events that you have attended;
- Information from companies providing professional contact information to their customers/subscribers; and
- Other Personal Information to the extent permitted by applicable law and reasonably necessary for the performance of our business obligations, compliance with laws applicable to our business or pursuit of our legitimate business interests.

HOW WE USE YOUR INFORMATION

The following is an overview of Nasdaq’s purposes for processing Personal Information. Often, due to the nature of the product or service involved or the context in which the Personal Information is used, it will be apparent how we intend to use the information. Additional information about processing related to a particular product or service may be separately posted on the relevant Site or contained in the applicable terms and conditions.

We may use the information we collect for the purposes identified below. To the extent required by applicable law, each purpose for the processing of Personal Information is substantiated by one or more lawful bases for processing. Unless otherwise identified with respect to a particular product or service, our processing is done based of one or more of the following:

Purpose of Processing	Bases for Processing
Provide you (or your employer/represented company) with our services and products and communicate with you about your (or your employer/represented company) accounts or use of our products, services and/or sites	<ul style="list-style-type: none"> ▪ Perform or enter into a contract ▪ Legitimate business interests ▪ Comply with a legal obligation ▪ Consent
Process transactions through one of our services including, but not limited to, processing financial transactions initiated by your or your representative	<ul style="list-style-type: none"> ▪ Perform or enter into a contract ▪ Comply with a legal obligation
Comply with our obligations as an exchange, clearinghouse, broker-dealer, central shares depository, pension system administrator and/or other regulated/licensed business including, but not limited to regulations applicable to our EEA Regulated Entities such as, for example, the Markets in Financial Instruments Regulation	<ul style="list-style-type: none"> ▪ Perform or enter into a contract ▪ Comply with a legal obligation
Perform transaction and regulatory reporting requirements under applicable law	<ul style="list-style-type: none"> ▪ Perform or enter into a contract ▪ Comply with a legal obligation
Perform our obligations as a Self-Regulatory Organization, trading venue and/or market operator including, but not limited to, conducting surveillance of issuers and trading activities, conducting disciplinary proceedings and reporting suspected to misconduct to regulators and other authorities	<ul style="list-style-type: none"> ▪ Perform or enter into a contract ▪ Legitimate business interests ▪ Comply with a legal obligation
Monitor for security threats and fraud involving the use of our products, services, sites or physical facilities	<ul style="list-style-type: none"> ▪ Legitimate business interests ▪ Comply with a legal obligation
Maintain your status as a representative of an exchange or clearinghouse member or certified advisor to issuers	<ul style="list-style-type: none"> ▪ Perform or enter into a contract ▪ Comply with a legal obligation
Register or establish an account for you (or the company for whom you are an employee, officer or director) as a customer	<ul style="list-style-type: none"> ▪ Perform or enter into a contract ▪ Legitimate business interests ▪ Comply with a legal obligation
Register you (or your employer/represented company) to receive services or information through one or more of our sites	<ul style="list-style-type: none"> ▪ Perform or enter into a contract ▪ Consent
Manage our relationship with you (or your employer/represented company) as a customer, business prospect and/or information recipient	<ul style="list-style-type: none"> ▪ Perform or enter into a contract ▪ Legitimate business interest ▪ Consent
To pursue or enforce our legal rights related to our business, products, services or sites and/or defend against claims made against us	<ul style="list-style-type: none"> ▪ Perform or enter into a contract ▪ Legitimate business interest
Communicate with you (or your employer/represented company) about your account or use of our products, services or sites	<ul style="list-style-type: none"> ▪ Legitimate business interest ▪ Consent
Create informational materials and statistical extracts for our products and services	<ul style="list-style-type: none"> ▪ Perform or enter into a contract ▪ Legitimate business interest ▪ Consent
Develop, provide content for, operate, and deliver our services and sites	<ul style="list-style-type: none"> ▪ Perform or enter into a contract ▪ Legitimate business interest ▪ Consent
Improve the quality of our sites and tailor them to your preferences	<ul style="list-style-type: none"> ▪ Legitimate business interest ▪ Consent

With respect to situations where we process Personal Information based on our legitimate business interest, reflecting that we are generally a business-to-business product and service provider, we typically collect and process limited Personal Information about corporate customer points of contact and individuals acting in their professional capacities as part of our overall effect to reduce the privacy impact on individuals. To the extent required by applicable law, you have the right to object to the processing of your Personal Information based on a legitimate interest as legal basis. Please see the section below regarding your rights to find out more. Where processing is based on your consent, you have the right to withdraw that consent at any time.

We also use your information for compliance with our company policies and procedures, for accounting and financial purposes, and otherwise as required or permitted by applicable law. If you do not provide us with information as described above, we may not be able to fulfill the applicable purpose of collection, such as completing a contemplated transaction, responding to your queries or providing access to our sites to you.

AUTOMATED DECISION-MAKING

Nasdaq does not engage decision-making based solely on automated processing, including profiling, which produces legal effects concerning an individual or similarly significantly affects an individual.

HOW WE SHARE YOUR INFORMATION

From time to time, to the extent permitted by applicable law and subject to any contractual limitations on sharing Personal Information set forth in a relevant contract for products and services, we may share your information with third party service providers and authorities in the following circumstances:

- **Service Providers.** We may share your information with third parties who perform functions on our behalf (e.g., hosting or operating our services or sites, processing credit card payments, sending email marketing communications, or data analysis). We do not authorize these third parties to use your information for purposes other than for which it has been provided, and do not authorize these third parties to disclose that information to unauthorized parties. We require these third parties to maintain appropriate security to protect your information from unauthorized access or processing.
- **As Required or Appropriate by Law.** We may disclose your information to regulatory authorities, courts, and government agencies where we believe that doing so would be in accordance with or permitted or required by any applicable law, regulation or legal process, to defend the interests, rights, and/or property of Nasdaq or others, or to respond to emergencies.
- **Business Transfers.** We may transfer your information to a third party in the event of the search or selection of a new UTP Plan Administrator.

We may share your information with other parties as directed by you or subject to your consent. We may also share and otherwise process aggregated information or de-identified information that does not identify you individually with other parties. For example, from time to time, we may utilize survey information collected from you on an aggregate, not individually identifiable, basis. We also use this aggregated or de-identified information for our various business purposes, including the creation and sale of other products and services to our clients and potential clients. This aggregate or de-identified information is not traceable to any particular client or user and will not be used by a third party to contact you.

We do not share, sell, rent or trade your information to our service providers or business partners for their own direct marketing purposes.

YOUR RIGHTS REGARDING YOUR PERSONAL INFORMATION

To the extent required by applicable law, in our capacity as the controller of your Personal Information, we will also provide you with the opportunity to be informed of whether we are processing your Personal Information and at any time to access, correct, update, oppose, delete, block, limit or object to our use of your Personal Information. The foregoing rights will be afforded to you free of charge (except to the extent that your requests are manifestly unfounded or excessive, in which case, we may charge an administrative fee or refuse to meet your request). Please note that legal obligations that apply to our business – for example, financial regulations that apply to our EEA Regulated Business - may prevent us from immediately deleting parts of your information. To exercise your rights, please contact us as detailed under the Contact Us heading below.

To prevent fraudulent activity, we may require you to authenticate your identity when you contact us. We will try to comply with your request as soon as reasonably practicable and within timeframes required by applicable law. Please note that in some instances, due to the nature of the information that we receive, we may require you to provide additional information that will help us identify which information is yours. For requests subject to the European General Data Protection Regulation, we will respond to your request within one month of our receipt of it. We may extend this period by two further months taking into account the complexity of your request or the number of requests that we have received; we will inform you of any such extension within one month of receiving your request, along with the reasons for the delay and information about your right to file a complaint with a supervisory authority.

The following sets out a summary of your rights to the extent that your Personal Information is processed subject to the European General Data Protection Regulation:

- Right to access, rectification, erasure and restriction of processing. You have the right to request:
 - Access to your Personal Information. This means that you have the right to request information on our use of your Personal Information. You also have the right to request a copy of the Personal Information being processed at no cost. However, we may charge you a reasonable administrative fee to provide you with additional copies of the Personal Information. If you make your access request by electronic means such as email, we will provide you with the information in a commonly used electronic format.
 - Rectification of your Personal Information. We will at your request, or at our own initiative, rectify, anonymize, erase or complement Personal Information that you or we discover is inaccurate, incomplete or misleading. You also have the right to complete the Personal Information with additional data if relevant information is missing.
 - Erasure of your Personal Information. You have the right to request that we erase your Personal Information if we do no longer have an acceptable reason for processing the data. Given this, erasure shall be made by us if:
 - the Personal Information is no longer necessary for the purposes for which it was collected,
 - we process your Personal Information solely based on your consent and you withdraw your consent,
 - you object to the processing of your Personal Information based on our legitimate interest and there is no overriding legitimate ground for the processing,
 - the Personal Information has not been lawfully processed,
 - we are required to erase the Personal Information due to a legal obligation, or
 - you are a child and we have collected the Personal Information in relation to the offer of information society services.

However, there might be requirements under applicable law, or other compelling reasons, that prevents us from immediately erasing your Personal Information. In such case, we will stop using your Personal Information for any other reasons than to comply with the applicable law, or the relevant compelling reason.

- Right to restrict processing: This means that we temporarily restrict the processing of your Personal Information. You have the right to request restriction of the processing when:
 - you have requested rectification of your Personal Information in accordance with this Privacy Policy, during the period of time we are verifying the accuracy of the data,
 - the processing is unlawful and you do not want the Personal Information to be erased,
 - as data controller, we no longer need the Personal Information for the purposes for which it was collected, but you require us to retain the information for the establishment, exercise or defense of legal claims, or
 - you have objected to our legitimate interest for the processing in accordance with this Privacy Policy, during the period of time we determine whether the legitimate interest overrides your privacy rights.

We will take all reasonable and possible actions to notify any recipients of your Personal Information regarding any rectification, erasure or restrictions carried out by us. At your request, we will also inform you with which third parties we have shared your Personal Information.

Right to object to processing. You have the right to object to the processing of your Personal Information based on our legitimate interest. If you object to such processing, we will only continue with the processing if we have a compelling legitimate reason for the processing that outweighs your interest, rights or freedoms, or if continued processing is necessary for the establishment, exercise or defense of a legal claim.

- Right to portability. You have the right to receive certain of your Personal Information in a structured, commonly used and machine-readable format and have the right to transmit those data to another controller. You only have this right when your Personal Information is processed by automated means and our legal basis for the processing is consent or the performance of a contract between you and us.
- Right to lodge a complaint. You have the right to lodge any complaints regarding our processing of your Personal Information with the supervisory authority.

SECURITY OF YOUR INFORMATION

We take reasonable technical, administrative and physical security measures to protect your information, including applying generally accepted industry standards to protect the information submitted to us during transmission and once we receive it.

However, no method of transmission over the Internet, or method of electronic storage is 100% secure, so we unfortunately cannot guarantee absolute security. If you have reason to believe that your interaction with us is no longer secure (e.g., if you feel that the security of any account you might have with us has been compromised), please contact us immediately as detailed under the “Contact Us” heading below.

INTERNATIONAL TRANSFERS

Some of the parties with which we may share your information, as detailed in “How We Share Your Information”, may be located in countries that do not provide an equivalent level of protection as your home country. Where required, Nasdaq has implemented appropriate cross-border transfer solutions to provide adequate protection for transfers of certain Personal Information, including, but not limited to, the European Commission’s Standard Contractual Clauses (available at https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/model-contracts-transfer-personal-data-third-countries_en). To the extent permitted by applicable law, by using our sites, and providing us information about you, you consent to the international transfer of information about you to the above parties.

OUR RETENTION OF YOUR INFORMATION

We will retain your information for the period necessary to fulfill the purposes outlined in this Privacy Policy and as otherwise needed to comply with applicable law and recordkeeping requirements or to address any complaints, challenges, legal or compliance matters related to the information.

LINKS TO OTHER WEBSITES

Our sites may contain links to other websites or services that are not owned or controlled by Nasdaq, including links to websites of our advertisers, sponsors and partners. This Privacy Policy only applies to information collected by our sites. We have no control over these third party websites, and your use of third party websites and features are subject to privacy policies posted on those websites. We are not responsible or liable for the privacy or business practices of any third party websites linked to our sites. Your use of third parties’ websites linked to our sites is at your own risk, so we encourage you to read the privacy policies of any linked third party websites when you leave one of our sites.

USE OF SITES BY CHILDREN

None of our sites are targeted for use by children under the age of sixteen. We do not target any of our products or services or Site content/features for use by children of such age.

CHANGES TO THIS PRIVACY POLICY

Except to the extent limited by applicable law, we reserve the right to update this Privacy Policy to reflect changes to our information practices by prominently posting notice of the update on our sites. Unless otherwise noted, any updates will become effective 30 days after posting the updates to the Privacy Policy, and apply to all information collected about you. If we make any changes to this Privacy Policy that materially impact previously collected information about you, we will, to the extent that we have your email address, notify you by email.

CONTACT US

If you have any questions about this Privacy Policy or information we have collected about you, please contact us by email at [\[admin@utpplan.com\]](mailto:admin@utpplan.com) or by postal mail at:

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