

# Privacy Policy

**Effective Date:** 02.26.2024

## Table of Contents

- Introduction
- How we collect and use (process) your personal information
- Sharing Information with Third Parties
- Transferring Personal Data
- Data Subject Rights
- Cookies
- Sub-Processors
- Security of your Information
- Data Storage and Retention
- Changes to this Privacy Policy
- Questions, Concerns, or Complaints

## Introduction

SpectrAxe, LLC is a registered SEF (“Swap Execution Facility”) with the CFTC (“Commodity Futures Trading Commission”). Our headquarters are located at 55 Fifth Avenue, New York, NY 10003. For purposes of this policy “SpectrAxe”, “we”, “us”, “our”, “its” refers to only SpectrAxe, LLC.

As part of its normal business operations, SpectrAxe will collect, request, and process personal data and information. This Privacy Policy describes the policies and practices SpectrAxe uses regarding its collection and use of personal data. We recognize that the privacy and security of personal data is an ongoing responsibility, and so we will from time to time update this Privacy Policy as we undertake new personal data practices. This Privacy Policy applies to anyone who accesses our website, anyone who uses our services as a client of SpectrAxe, and anyone who provides personal data and information to SpectrAxe for additional legitimate purposes (e.g., a prospective customer, prospective vendor).

## How we collect and use (process) your personal information

The type of personal data and information we collect from you depends upon your relationship with SpectrAxe. This information will generally consist of the following below:

- Names, Usernames
- Email Addresses
- Physical Addresses
- Signatures
- Fax Numbers
- Phone Numbers
- IP Addresses
- Occupational Information
- Emails, Voice Calls, and other Electronic Communications
- Transaction and Log Data such as User IDs, Order and Trade Data
- Personal Identification Information (such as information in a Passport, government issued ID, other ID)

SpectrAxe collects personal data and information only in a lawful manner:

- 1) To be in compliance with a legal obligation that we are subject to; as a SEF (“Swap Execution Facility”), SpectrAxe must comply with the legal and regulatory requirements of the U.S. Commodity Futures Trading Commission (“**CFTC**”); and
- 2) Generally, as may be required, to provide our services as a SEF Platform.

SpectrAxe does not sell personal information to anyone and only shares it with applicable third parties. Please see our “Sub-Processors” section on page 3.

Additionally, SpectrAxe may use the personal data and information it receives:

- To communicate with you by responding to your requests, comments, and questions
- To send emails, notices, and other communications
- For billing, account management, and any other applicable administrative matters

### **Sharing Information with Third Parties**

The personal information SpectrAxe collects from you is either stored internally or stored by third parties in one or more cloud databases generally located in the United States. In some instances your personal information can be stored internationally in other countries. Our third parties that store information in cloud databases do not use or have access to your personal information for any purpose other than storage.

SpectrAxe does not reveal your personal data to non-SpectrAxe persons or businesses for their independent use unless:

- (1) you request or authorize it;
- (2) the information is provided to comply with the law (for example, compelled by law enforcement to comply with a search warrant, subpoena, or court order), enforce an agreement we have with you, or to protect our rights, property or safety, or the rights, property or safety of our employees or others;
- (3) the information is provided to our agents, vendors or service providers who perform service functions on our behalf;
- (4) to address emergencies; or
- (5) to address disputes, claims, or to persons demonstrating legal authority to act on your behalf.

### **Transferring Personal Data**

SpectrAxe has its headquarters in the United States. Information we collect about you will be processed generally in the United States and in some instances, internationally (including to countries that may not have an appropriate adequacy decision declared by regulatory authorities). By providing SpectrAxe with your personal data and information, you acknowledge that your personal data and information will be processed in the United States and internationally. Where SpectrAxe shares or provides access to personal data and information to its third-party sub-processors, SpectrAxe has entered into the appropriate data protection agreements. Please contact the SpectrAxe Compliance Department for further information.

## Data Subject Rights

The European Union's or United Kingdom's General Data Protection Regulation (GDPR) and other countries' privacy laws provide certain rights for data subjects. Data Subject rights under GDPR include the following:

- Right to be informed
- Right of access
- Right to rectification
- Right to erasure
- Right to restrict processing
- Right of data portability
- Right to object
- Right not to be subject to automated decision making

This Privacy Notice is intended to provide you with information about what personal data SpectrAxe collects about you and how it is used. If you wish to confirm that SpectrAxe is processing your personal data, or if you wish to have access to the personal data SpectrAxe may have about you, please contact us.

You may also request information about:

- the purpose of the processing;
- the categories of personal data concerned;
- who else outside SpectrAxe might have received the data from SpectrAxe;
- what the source of the information was (if you didn't provide it directly to SpectrAxe);
- how long it will be stored.

You have a right to correct (rectify) the record of your personal data maintained by SpectrAxe if it is inaccurate. You may request that SpectrAxe erase that data or cease processing it, subject to certain exceptions. In many countries, you have a right to lodge a complaint with the appropriate data protection authority if you have concerns about how SpectrAxe processes your personal data. When technically feasible, SpectrAxe will—at your request—provide your personal data to you. Reasonable access to your personal data will be provided at no cost. If access cannot be provided within a reasonable time frame, SpectrAxe will provide you with a date when the information will be provided. If for some reason access is denied, SpectrAxe will provide an explanation as to why access has been denied.

## Cookies

SpectrAxe makes available a Cookie Banner on our website for users to be able to Accept, Reject, or Manage cookies. SpectrAxe also makes available a Cookie Policy, at <https://www.spectraxesef.com/policies>, provide more information on what cookies SpectrAxe uses, why we use cookies, and how to manage such cookies.

## Sub-Processors

SpectrAxe makes available a list of Sub-Processors, at <https://www.spectraxesef.com/policies>, that support SpectrAxe either through systems or contractual services which contain, or which have access to, the personal data we process. This list will be appropriately updated as needed by SpectrAxe.

## **Security of your Information**

SpectrAxe uses appropriate technical, organizational, and administrative security measures to protect any personal data and information we hold in our records from loss, misuse, unauthorized access, disclosure, alteration, and destruction. Despite our methods to properly secure your personal data and information, SpectrAxe can't guarantee that your personal data will be 100% secure from any kind of unauthorized intrusions or unauthorized access.

## **Data Storage and Retention**

SpectrAxe retains personal data and information for the duration of a business relationship and for a period thereafter subject to GDPR, CFTC Regulations, and other applicable data and recordkeeping requirements. All personal data that SpectrAxe controls may be deleted, subject to such requirements, upon verified request from Data Subjects or their authorized agents.

## **Changes to this Privacy Policy**

This Privacy Policy is current as of the effective date set forth above. SpectrAxe reserves the right to change this Privacy Policy from time to time. Changes and modifications to this Privacy Policy will be effective immediately upon posting of the changes on SpectrAxe's Website. Where the changes will have a fundamental impact on the nature of the processing or otherwise have a substantial impact on you, we will provide you with notice in advance.

## **Questions, Concerns, or Complaints**

If you have any questions, concerns, complaints, want to request more information about our Privacy Policy, or if you would like to exercise your rights, please email [privacy@spectrax.com](mailto:privacy@spectrax.com). Also please see our GDPR Representatives' contact information below.

Our appointed UK Representative is:

**Martin Pett**

SpectrAxe UK Representative  
21 Ironmonger Lane, London EC2V 8EY  
Phone: +44 20 8161 1456  
Email: [privacy@spectrax.com](mailto:privacy@spectrax.com)

Our appointed EU Representative is:

**Nesrine El Aziz**

SpectrAxe EU Representative  
34 Avenue George V Paris, 75008 France  
Phone: +44 20 3882 3910  
Email: [privacy@spectrax.com](mailto:privacy@spectrax.com)