



# Capital One Investing Privacy Policy

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## Section 1. Introduction

An important part of the relationship we have with our clients is the information you share with us. Protecting your privacy is important to us and we want you to know how we treat your nonpublic personal information.

Pursuant to Title V of the Gramm-Leach-Bliley Act and United States Securities and Exchange Commission (“SEC”) Regulation S-P (17 CFR 248.1 – 248.30), this document explains the Privacy Policy of Capital One Investing, Inc. (“Capital One Investing”) concerning the privacy interests of our clients. Capital One Investing is a Delaware corporation with its principal office in McLean, Virginia. Capital One Investing is an investment adviser registered with the SEC. Capital One Investing’s principal business is to act as an investment adviser in accordance with all laws, rules and regulations applicable to investment advisers and the business conducted by investment advisers. As an investment adviser, Capital One Investing’s principal business is to provide investment advisory and investment management services to clients.

The policy of Capital One Investing is to protect the confidentiality, integrity and security of any nonpublic personal information of its clients and prospective clients, and to prevent unauthorized access to, or the use or disclosure of such information. In its capacity as an investment adviser, investment manager, and in conducting its advisory business, Capital One Investing receives and/or comes into contact with certain nonpublic personal information concerning its current and/or former customers. Capital One Investing receives and/or comes into contact with the nonpublic personal information only for purposes of conducting its business as described above. Any and all such nonpublic personal information is hereinafter referred to as “nonpublic personal information.” For convenience, “you” or “your” refers to any and all client(s) described above and “we,” “our” and “us” refers to Capital One Investing throughout this document.

## Section 2. Our Commitment to You

We are committed to safeguarding the use of your nonpublic personal information. We protect the security and confidentiality of the nonpublic personal information we have collected, and make efforts to ensure that such information is used for proper business purposes in connection with the management or servicing of your account. Our relationship with you is our most important asset. We understand that you have entrusted us with your nonpublic personal information, and we do everything we can to maintain that trust.

We do not sell your nonpublic personal information to anyone. Nor do we provide such information to others except for discrete and proper business purposes, in connection with the servicing and management of your account as discussed below.

Details of our approach to privacy and how your nonpublic personal information is collected and used are set forth in this Privacy Policy.

Capital One Investing is part of the Capital One family of companies. The [Capital One California Consumer Privacy Act Disclosure](#) also applies to certain information that we and other Capital One affiliates collect about California residents.

## Section 3. Definitions

*Affiliates.* Companies related by common ownership or control. They can be financial and non-financial companies. We do not share your nonpublic personal information with any affiliates.

*Non-Affiliates.* Companies not related by common ownership or control. They can be financial and non-financial companies. We do not share your nonpublic personal information with non-affiliates except as describe in this notice.

*Joint Marketing.* A formal agreement between non-affiliated financial companies that together market financial products or services to you. We do not engage in joint marketing.

## Section 4. Nonpublic Personal Information Collected

In conducting business as described above, Capital One Investing collects (or may collect), for example, the following types of nonpublic personal information:

- I. Information we receive from you such as:
  - a. Information you provide in connection with any securities account, margin loan, debit card or any other financial product or service, such as your name, address, social security number, tax ID number, assets, income, investment objectives, financial situation and debt. This information is obtained (or may be obtained) in writing, in person, by telephone, electronically or by any other means.
  - b. Information we obtain (or may obtain) for the purpose of tax reporting to you and to the various agencies to which we report as required by law, including disclosures on various Internal Revenue Service (“IRS”) forms.
- II. Information about your securities and/or other transactions such as:
  - a. Information we collect that relates to account balance, payment history, trading activity and any other transactions concerning which we provide investment advisory services or investment management services.
  - b. Information we collect as part of servicing your account(s).
- III. Information about your transactions with non-affiliated third parties such as:
  - a. Information from non-affiliated third parties pursuant to law, rules, regulations, standard securities industry practice and/or legal process, including information and/or documents received, shared, produced or provided in connection with a subpoena, discovery request or other legal process compelling production
  - b. Information from non-affiliated third parties related to servicing your account for purposes of providing investment management services.
- IV. Information collected for other purposes.

Capital One Investing also may collect information from you for other purposes, including but not limited to (1) responses to technical support requests; (2) contact information for participation in promotions or contests; (3) optional questionnaires; and (4) responses to inquiries about Capital One Investing products or services.

### V. Information about your clickstream.

Clickstream data is nonpersonal information transmitted automatically to us from your computer or mobile device when you interact with our online service using your computer browser or a Capital One Investing mobile app. Clickstream data may include your computer’s IP address, the type of internet browser and operating system you are using, mobile device platform, type of Java Virtual Machine, Internet connection speed and identification of any hardware or software that has previously caused technical problems with the Capital One Investing service. Clickstream data also included the pages and information you access on our service. Collection and analysis of clickstream data permits your computer or mobile device to connect with and navigate our service more effectively. Clickstream data will not be used to identify you personally.

### VI. Information stored on cookies.

Cookies are small strings of digitized text that our online service transmits to your computer, and that will send certain information to our website when you are connected to the service. Cookies are used to ‘remember’ user names and password so that you are not requested to re-enter that information each time you use the service. We

also use cookies to understand which parts of our service are most popular, where visitors and users are going on our service, and how much time they spend there. Cookies are read only by the server that places them, and are unable to execute any code or virus.

If you do not wish to have cookies stored on your computer, you may instruct your browser to block them, erase them, or warn you before a cookie is stored. Please refer to your browser instructions or help screen to learn more about these functions. However, blocking or erasing cookies may prevent you from using some functionality of our website. Currently, for online advertising purposes, our website does not respond to browser “do not track” signals.

## **Section 5. Anonymized and Aggregate Information**

Besides the personal information, clickstream data and information stored on cookies that we collect directly from you and your computer or mobile device, Capital One Investing uses personal information to generate two categories of non-personal information: (1) anonymized data, which relates to individuals but replaces names and other personally identifiable information with coded entries that do not disclose individual identities; and (2) aggregate data, which relates to collective characteristics of our clients, such as the percentage of users that live in specific ZIP codes, that cannot be used to identify individual users.

Capital One Investing uses aggregated information for such purposes as to operate and enhance our services, target promotions to users, and statistically analyze the usage of our website to improve the content, layout, and service of the website and enhance our marketing and promotional efforts. We may share aggregated information with third parties, such as our partners or general public, for education, research, marketing, and promotional purposes.

## **Section 6. How We Protect Your Information**

Capital One Investing has implemented physical, administrative, and technical safeguards to protect client’s personal information from unauthorized access, disclosure and use. Our physical measures include restrictions of access to areas and facilities in which personal information is stored or where that information may be accessible, and secure disposal of records and storage media. Our administrative measures include restrictive granting and denial of systems access privileges, secure administration of passwords and other access credentials, periodic security risk and compliance assessments, and data security training for all employees with access to personal information. Our technical measures include encryption of all personal information sent over public networks or stored on portable media, and implementations and updating of firewalls. Capital One Investing cannot be responsible for the information security practices of third partner organizations.

We are committed to implementing and maintaining commercially reasonable and appropriate measures to maintain your nonpublic personal information in a secure and confidential fashion. Our information security procedures include, but are not limited to, the following features:

- I. Access controls on customer information systems, including controls to authenticate and permit access only to authorized individuals, and controls to prevent our employees from providing nonpublic personal information to unauthorized individuals who may seek to obtain this information through fraudulent means
- II. Physical access restrictions at locations such as buildings, computer facilities, and record storage facilities, in order to restrict access of nonpublic personal information to unauthorized individuals
- III. Encryption, where appropriate, of electronic customer nonpublic personal information
- IV. Segregation of duties for our employees with responsibilities necessitating access to nonpublic personal information

- V. Monitoring systems and procedures to detect actual and attempted attacks or intrusions into information systems containing nonpublic personal information
- VI. Response programs that specify actions to be taken when we suspect or detect that unauthorized individuals may have gained access to nonpublic personal information
- VII. A disaster recovery plan to protect against loss or damage to nonpublic personal information due to potential hazards, such as fire and water damage or technological interruption or failure.

We regularly review, revise and update our information security procedures to account for changes in technology.

## **Section 7. Nonpublic Personal Information Disclosed to Affiliated and Non-Affiliated Third Parties**

We disclose to affiliates and non-affiliated third party's nonpublic personal information only in connection with us providing investment management services or in respect of conducting our investment advisory business. Such disclosures include, among other things, information related to transactions, settlement, billing, payment, processing, clearing, transferring, reconciling, collection and tax reporting. Such disclosures may be provided to affiliates and non-affiliated third parties:

- I. As required or necessary to carry out fully and properly the business conducted by us such as:
  - a. Disclosures to affiliated and non-affiliated third-party service providers who supply us with computer related services including data maintenance and document processing and delivery
  - b. Processing services, and disclosures to non-affiliated third parties such as securities clearing agencies and entities
- II. As required by law or legal process
- III. With your consent

## **Section 8. Former Customers**

We will disclose nonpublic personal information about former clients of our investment advisory and investment management business only as permitted and/or required by law or legal process, or with the former client's consent.

## **Section 9. Maintenance of Records**

Nonpublic personal information about you will be maintained during the time you are a client, and for the required time thereafter that such records are required to be maintained by federal and state securities laws. After this required period of record retention, all such information will be destroyed.

## **Section 10. Notice to Clients**

We will send you notice of our Privacy Policy annually for as long as you maintain an ongoing relationship with us. Periodically we may revise our Privacy Policy, and will provide you with a revised policy if the changes materially alter the previous Privacy Policy. We will not, however, revise our Privacy Policy to permit the sharing of nonpublic personal information other than as described in this notice unless we first notify you and provide you with an opportunity to prevent the information sharing.

## **Section 11. Information Sharing**

Federal law also gives you the right to limit the sharing of your nonpublic personal information, when: (1) sharing creditworthiness information for affiliates' everyday business purposes, (2) sharing with affiliates is done to use your information to market to you, and (3) sharing with non-affiliates is done to use your information to market to you. We do not share your information in any of these ways. State laws and individual companies may give you additional rights to limit sharing.

Clients cannot opt out of allowing Capital One Investing to share their nonpublic personal information with non-affiliated third parties which are necessary to service their accounts such as Custodians, Third Party Administrators or certain software vendors.

## **Section 12. Request for our Privacy Policy**

Anyone may request a copy of our Privacy Policy or procedures by contacting the Chief Compliance Officer either by sending a written request to 1600 Capital One Drive, 22<sup>nd</sup> Floor, McLean, VA 22102, by phone at (202) 539-1039 or by email at [investing@capitalone.com](mailto:investing@capitalone.com).

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