



Privacy Policy

Effective: May 18, 2020

This app and website privacy policy ("[Privacy Policy](#)") describes how SMBX, Inc., and SMBX ("[SMBX](#)," "[we](#)," "[us](#)," or "[our](#)") collect, use, and share information about users of our app and website, including [thesmbx.com](#), and associated services (collectively, our "[App or Website](#)"). By using our App or Website, you acknowledge and consent to our practices described below. Your use of our App or Website is also subject to our Terms of Use.

Information We Collect

Information you provide us.

We receive information about you if you choose to provide it to us when you register for and create a profile on our App or Website. This information may include your legal name, street address, email address, photo, date of birth, geolocation data, net worth, income, status as an accredited investor, and your outside of SMBX Reg CF investments. If you choose to invest in an offering through our App or Website, we will collect payment information from you, such as financial account information or payment card information. We may also collect information to help verify your identity such as a government issued ID and/or for income verification, such as a bank statement or W-2 form. If we are unable to verify your identity and/or income, we may be required to close your SMBX Account. Please note that we do not store your financial account information or payment card information, but we do store other personal information. If you choose to add an investment entity to your profile or set up your account under an entity, we will also collect information about the entity. If you choose to set up biometrics for logging into our App, we may collect "biometrics information" from you in order to use functionalities such as Face ID or Touch ID. "Biometric information" means an individual's physiological, biological, or behavioral characteristics, including an individual's deoxyribonucleic acid (DNA), that can be used, singly or in combination with each other or with other identifying data, to establish individual identity. Biometric information includes, but is not limited to, imagery of the iris, retina, fingerprint, face, hand, palm, vein patterns, and voice recordings, from which an identifier template, such as a faceprint, a minutiae template, or a voiceprint, can be extracted, and keystroke patterns or rhythms, gait patterns or rhythms, and sleep, health, or exercise data that contain identifying information.

If you would like to raise funding for your business with our App or Website, we collect information about you and your business, your fundraising terms, and payment information.

We also collect information when you post questions or comments on our App or Website, or when you contact us, including via email, phone, or social media.

We base the processing of your personal information on the legitimate interest to provide you with the necessary functionality required during your use of our Service(s).

When you visit our App or Website.

We automatically collect certain information when you use our App or Website, including: (i) information about your interaction with our App or Website, including the actions you take, the pages or other content you view or otherwise interact with, and the dates and times of your visits; and (ii) device information, such as your IP address, operating system information, and web browser and/or device type and language.

Information from other sources.

In order to provide the services on our App or Website, including verifying your identity and other information you provide us, we collect information about our users from third parties and combine it with other information we receive from or about our users.

Third party services.

If you decide to register through or otherwise grant access to a third party social networking or authentication service that we may make available ("Integrated Service") in the future, such as Apple, Facebook, LinkedIn, or Google, we will collect certain personal information that you have provided to the Integrated Service (such as your name, email address, photo, and other information you make available via the Integrated Service) and an authentication token from the Integrated Service. The personal information collected from the Integrated Service may be used to register you on our App or Website and to provide some of the features of our App or Website. You may revoke our access to your account on the Integrated Service at any time by updating the appropriate settings in the account preferences of the respective Integrated Service. You understand that certain features of our Website may not be available to you if you choose to remove our access to your account with the Integrated Service.

Cookies and other technologies.

When you visit our App or Website, we and our service providers collect certain information through the use of "cookies" and other technologies to better understand how our users navigate through our App or Website, learn what content is being viewed, and administer and improve our App or Website. Cookies are small text files that web servers place on an internet user's computer that are designed to store basic information and to recognize your browser. We may use both session cookies and persistent cookies. A session cookie disappears after you close your browser. A persistent cookie remains after you close your browser and may be used by your

browser on subsequent visits to our App or Website. We use Google Analytics cookies for data analytics purposes, and you can find more information on how Google uses data from these cookies at www.google.com/policies/privacy/partners/. Please consult your web browser to learn the proper way to modify its cookie settings. Please note that if you delete, or choose not to accept, cookies from our App or Website, you may not be able to utilize the features of our App or Website to their fullest potential.

Some of our service providers, including Google, use cookies and similar technologies to show you our ads on other websites across the Internet. These ads may be directed to you based on your past visits to our website and your use of our App or Website in order to provide you with the most relevant content. You can opt out of our service provider's use of cookies for directed marketing purposes by visiting the Network Advertising Initiative's [opt-out page](#). Please note that after opting-out, you will continue to see ads from these service providers, but they will not be based on your past activities.

How We Use Information We Collect

We may use the information that we collect for the following purposes:

- To provide, improve, and personalize our App or Website;
- To monitor and analyze usage trends and preferences;
- To process payments and investments;
- To communicate with you, including for administrative, informational, promotional, and marketing purposes, and to respond to your requests or inquiries;
- To enforce this Privacy Policy or other terms to which you have agreed, and to protect the rights, property, or safety of us, our App or Website, our users, or any other person.

How We Share Information We Collect

Businesses You Invest In.

We may share your information with businesses that you invest in. The information about you that we share with the businesses you invest in may include your profile information, your investment(s) in the business, your address and location, and email address. The businesses may choose to include you in their mailing lists for future communications with you, including for administrative, informational, promotional, and marketing purposes.

Other Users and the Public.

Please note that if you are a user on our App and Website, your profile page is not viewable by other users and the public. All information you have shared with us is completely private except for your username which may be displayed when you submit or share any comments or information on public areas of the App or Website, such as questions for founders or the SMBX, which can be read, collected, or used by other users and the public. We are not responsible for the information you choose to submit or share on the public areas of our App or Website, such as the communication channels on the offering pages. In order to provide the services on our App or Website, we may share your information with our affiliates and third parties, such as banks, portfolio companies, investment banking firms, accountants, and similar entities.

Service providers.

We use service providers to provide certain services to us, such as analytics services, fraud detection, payment processing, and advertising and marketing services. We only provide our service providers with the information necessary for them to perform these services. Our analytics providers may collect information about your online activities over time and across different online services when you use our Website.

Change of control.

In the event that SMBX is merged or sold, or in the event of a transfer or sale of some or all of our assets, we may disclose or transfer information we collect in connection with the negotiation and/or conclusion of such a transaction.

Other disclosures.

We may disclose information about you to third parties if (a) we believe that disclosure is reasonably necessary to comply with any applicable law, regulation, legal process, or governmental request, (b) to enforce our agreements, policies, or terms of service, (c) to protect the security or integrity of our App or Website, (d) to protect the property, rights, and safety of us, our users, or the public, (e) to respond in an emergency which we believe in good faith requires us to disclose information to assist in preventing the death or serious bodily injury of any person, or (f) to investigate and defend ourselves against any third-party claims or allegations.

Choices You Have With Your Information

You can update the information you provided to us by accessing your account settings.

You can also opt out of promotional email communications at any time by clicking on the unsubscribe link in an email you received from us.

Links to Other Websites

Our App or Website contains links to websites maintained by third parties. Please be aware that these third-party websites are governed by their own privacy policies and are not covered by our Privacy Policy. We are not responsible for the content or policies maintained by these websites. Please familiarize yourself with the privacy policy of any third-party websites you visit.

Security of Your Information

The security of your information is important to us. We have implemented reasonable security measures to help protect the information in our care. However, no data transmission over the Internet or method of storage is 100% secure. As a result, while we strive to protect your information, we cannot and do not guarantee or warrant the security of information collected or otherwise obtained by us in connection with our App or Website.

Children's Privacy

Our App or Website is not intended for children under the age of 13, and we do not knowingly collect personal information from children under the age of 13. If we learn that we have collected the personal information from a child under the age of 13, we will take steps to delete the information. If you are aware that a child under 13 has provided us with personal information, please contact us at support@thesmbx.com.

Do Not Track

Some web browsers incorporate a "Do Not Track" (DNT) feature. Because there is not yet an accepted standard for how to respond to a DNT signal, our websites do not currently respond to such signals.

Processing in the United States

Please be aware that personal information may be transferred to and maintained on, servers or databases located outside your state, province, country, or other jurisdiction where the privacy laws may not be the same as those in your location. If you are located outside of the United States, please be advised that we transfer all information to the United States for storage and processing, and your consent to our Privacy Policy represents your consent to this transfer, storage, and processing.

Changes to Our Privacy Policy

Please revisit this page periodically to stay aware of any changes to our Privacy Policy, which we may update from time to time. If we modify our Privacy Policy, we will make it available on our App or Website and indicate the effective date. In the event that the modifications materially alter your rights or obligations hereunder, we will make reasonable efforts to notify you of the change. For example, we may send a message to your email address, if we have one on file, or generate a pop-up or similar notification when you access our App or Website for the first time after such material changes are made. Your continued use of our App or Website after the revised Privacy Policy has become effective indicates that you have read, understood, and agreed to the current version of our Privacy Policy.

Contacting Us

If you have any questions, comments, or concerns about our Privacy Policy, please email us at support@thesmbx.com