

## **Online Privacy Notice and Policy**

**Last Updated 6.28.18**

This Online Privacy Notice and Policy (the “Notice”) applies to all Industrial and Commercial Bank of China (USA) NA (the “Bank”) online interfaces, including websites, mobile applications, and all internet-based applications, as well as all such online interfaces associated with any Bank subsidiary, affiliate, or authorized service provider (collectively, all such online interfaces are referred to as the “Sites”). The Notice is written in the English language, and to the extent any translated versions of the Notice conflict with the English language version of the Notice, the English language version shall control. Please note that your use of the Sites is also subject to our Terms of Service.

This Notice describes how Sites may collect, use and share information from or about you, and explains how information may be collected and used for advertising purposes. This Notice is subject to change. Please review it periodically. Your use of the Sites following any such changes means that you accept the revised Notice. The Bank may provide links to other online interfaces not covered by this Notice. If you visit or access your accounts from another site, please review the online privacy practices of that site to understand how your online information may be collected, used, and shared. By using the Sites, you agree to the terms and conditions of this Notice, and any subsequent revised Notice.

The Sites will use and share any account holder and visitor information that they collect from or about you in accordance with the Bank’s Consumer Privacy Notice, which provides choices in the use and sharing of information.

### **Collection and Use of Information**

#### **Personal Information We Collect Online**

“Personal Information” means personally identifiable information, which can include categories of information such as your name, mailing address, email addresses, telephone, fax or mobile numbers, or account numbers, and this information can be provided to us via forms, surveys, applications or other online interactions with the Sites.

#### **How We Use Personal Information**

We may use Personal Information to respond to your inquiries and fulfill your requests; to inform you about important information regarding the Sites, products or services for which you apply or may be interested in applying for, or in which you are already enrolled; to inform you of changes to terms, conditions, and policies or other administrative information; to deliver marketing communications that we believe may be of interest to you, including ads or offers tailored to you, to personalize your experience on the Sites; to allow you to apply for products or services and evaluate your eligibility for such products or services; to verify your identity or location (or the identity or location of your representative or agent) in order to allow access to your accounts, conduct online transactions, and maintain measures aimed at preventing fraud and protecting the security of account and Personal Information; to allow you to participate in

surveys and other forms of market research, sweepstakes, contests, and similar promotions; and to administer these activities.

Some of these activities have additional rules, which may contain additional information about how Personal Information is used and shared. We may combine certain information collected online, with information collected from offline sources or information we already have for business purposes, including data analysis, audits, developing and improving products and services, enhancing the Sites, identifying usage trends and determining the effectiveness of promotional campaigns, for risk control, for fraud detection and prevention, to comply with laws and regulations, and to comply with other legal process and law enforcement requirements, and to allow you to utilize features within our Sites by granting us access to information from your device, such as contact lists or geo-location when you request certain services.

### **How Personal Information is Shared**

Please see the Bank's Consumer Privacy Notice for information on how Personal Information may be shared and how you may be able to limit certain types of sharing. We reserve the right to disclose your Personal Information as required by law and when we believe that disclosure is necessary to protect our rights or to comply with a judicial proceeding, court order, or legal process served on our Sites. We may also share information when we have a good faith belief it is necessary to prevent fraud or other illegal activity, to prevent imminent bodily harm, or to prevent harm to the Bank, the Sites, or our customers. This may include sharing information with other companies, lawyers, courts, or other government entities. If the ownership of all, or substantially all, of our business changes, or we otherwise transfer assets relating to the Bank or the Sites to a third party, we may transfer your Personal Information to the new owner to be used consistent with this Notice and the Bank's Consumer Privacy Notice. In such a case, your information would remain subject to the promises made in the applicable Notices and Consumer Privacy Notices.

### **Other Information We Collect Online**

"Other Information" is any information, other than Personal Information, that does not reveal your identity or does not directly relate to you as an individual, such as what web browser you are using; information collected through cookies, pixel tags, and other technologies; demographic information; other information provided by you, such as your date of birth or household income; as well as aggregated and de-identified data.

### **How We Collect and Use Other Information**

We, and our third-party service providers, may collect and use Other Information in a variety of ways, including through your web browser or mobile device, such as your Media Access Control (MAC) address, device type, operating system version and internet browser type and version. We use this information to ensure Sites function properly, for fraud detection and prevention, and security purposes.

We also may use cookies to collect information. Cookies are pieces of information stored directly on the device you are using. Cookies we use do not contain or capture unencrypted

Personal Information. Cookies allow us to collect information such as browser type, time spent on the Sites, pages visited, and additional information associated with the Sites. We use the information for security purposes, to facilitate navigation, to display information more effectively, to customize your experience while engaging with us, and to recognize your device to allow your use of our online products and services.

We collect statistical information about the usage of the Sites in order to continually improve the design and functionality, to monitor responses to our advertisements and content, to understand how account holders and visitors use the Sites, and to assist us with resolving questions regarding the Sites. We also may utilize cookies for advertising purposes.

You can refuse to accept these cookies as most devices and browsers offer their own privacy settings for cookies. You will need to manage your cookie settings for each device and browser you use. However, if you do not accept these cookies, you may experience some inconveniences in your use of the Sites and some online products and services.

Additionally, we may use other technologies, such as pixel tags, web beacons, or other methods, in the Sites for a variety of business purposes, including compiling statistics about usage and response rates, customizing your experience while engaging with us online and offline, for fraud detection and prevention, for security purposes, for advertising, and to assist us in resolving questions regarding use of the Sites.

Your internet protocol (IP) Address is a number that is automatically assigned to the device that you are using by your Internet Service Provider (ISP). An IP Address may be identified and logged automatically in our server log files whenever a user visits the Sites, along with the time of the visit and the page(s) that were visited. Collecting IP Addresses is standard practice on the internet and is done automatically by many websites. We use IP Addresses for purposes such as calculating Site usage levels, helping diagnose server problems, to customize your experience while engaging with us online and offline, for compliance and security purposes, for advertising, and administering the Sites. In the case of abuse on the Sites, we may block certain IP addresses from individuals or specific geographic locations for security purposes.

Aggregated and de-identified data is data that we may create or compile from various sources, including but not limited to accounts and transactions. Such data, once aggregated and de-identified, does not identify individual users or account holders. This information, which does not identify individual account holders, may be used for our business purposes, which may include offering products or services, research, marketing or analyzing market trends, and other purposes consistent with applicable laws.

### **Your Access to and Control over Information**

You may opt out of certain future contracts from us at any time, although we may need to send certain transactional confirmations or notices associated with your account, or to assist in the management or closure of your account. You can also do the following at any time by contacting us at the contact information set forth in this Notice:

- See what data we have about you, if any.
- Change or correct any data we have about you.
- Have us delete any data we have about you, subject to any obligation we may have to preserve any such data under state or Federal law;
- Express any concern you have about our use of your data.

### **Mobile Applications**

The Bank may provide mobile applications that allow you to access your account balances and holdings, make deposits and transfers, and pay bills on your mobile device. This Notice applies to any Personal Information or Other Information that we may collect through any mobile applications.

### **Links to Other Sites**

We may provide links to third party sites, such as credit bureaus, service providers, or merchants. If you follow links to sites not affiliated or controlled by the Bank, you should review their privacy and security policies and other terms and conditions, as they may be different from those of our Sites. The Bank does not guarantee and is not responsible for the privacy or security of these sites, including the accuracy, completeness, or reliability of their information.

### **Social Media**

The Bank may provide experiences on social media platforms including, but not limited to, Facebook®, Instagram®, Twitter®, YouTube®, and LinkedIn® that enable online sharing and collaboration among users who have registered to use them. Any content you post on Bank-managed social media pages, such as pictures, information, opinions, or any Personal Information that you make available to other participants on these social platforms, is subject to the Terms of Use and Privacy Policies of those respective social media platforms. Please refer to them to better understand your rights and obligations with regard to such content.

### **Data Security**

To protect Personal Information from unauthorized access and use, we use security measures that comply with applicable federal and state laws. These measures may include device safeguards and secured files and buildings as well as oversight of our third party service providers to ensure information remains confidential and secure. When you submit sensitive information via the Sites, your information is protected both online and offline. However, since the internet is not a secure environment, we cannot guarantee, ensure, or warrant the security of any information you transmit to us. There is no guarantee that information may not be accessed, disclosed, altered, or destroyed by breach of any of our physical, technical, or managerial safeguards. It is your responsibility to protect the security of your Personal Information.

### **Ensure That Account Information is Accurate**

Keeping your account information accurate and up to date is extremely important. If your account information is incomplete, inaccurate or not current, please contact us at 212-238-8208 for accounts opened in the New York Region, 626-300-8888 for accounts opened in the Southern California Region, or 415-668-7788 for accounts opened in the Northern California Region, or send an email describing the facts and circumstances at issue to info@us.icbc.com.cn. You may also write to us at The Industrial and Commercial Bank of China (USA) NA, 1633 Broadway, 28th Floor, New York, NY 10019. You can also speak to a customer representative at your local branch of the Bank.

### **No Children Under the Age of Thirteen**

The Sites are not directed to individuals under the age of thirteen, and we request that these individuals do not provide Personal Information through the Sites. We do not knowingly collect information from children under the age of thirteen. If you believe we have inadvertently collected information from a child under the age of thirteen, please notify us immediately through any of the contact methods listed in this Notice.

### **Do Not Track**

The Sites do not respond to web-browser “Do Not Track” signals.