



European Union General Data Protection Regulation Privacy Notice

Introduction

This Privacy Notice describes how FundX Investment Group, LLC ("FundX" or "We") and its affiliates treats personal data of individuals in the European Economic Union ("EU"). The information in this Notice is being provided pursuant to the EU's General Data Protection Regulation (GDPR).

This Privacy Notice aims to give you information on how FundX collects and processes your personal data as you interact with us, including through your use of the FundX related websites and any data you may provide through these websites, subscription services, publications and otherwise. We are required under the GDPR to notify you of the information contained in this Notice.

It is important that you read this Notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

We reserve the right to update this Notice at any time. We may also notify you in other ways from time to time about the processing of your personal information. It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

Controller

For the purposes of the GDPR, and for EU subjects to whom GDPR applies, FundX is the controller of your personal information. This means that we are responsible for deciding how we hold and use personal information about you. We have appointed a Data Protection Committee which is responsible for overseeing questions in relation to this Notice. If you have any questions about this Notice, including any requests to exercise your rights, please contact us using the contact details at the end of this Notice.

Personal Information We Collect About You

FundX and its affiliates collect personal data, or personal information, about you. This means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

We may collect, use, store and transfer different kinds of personal data about you which we have grouped together as follows:

- Identity Data includes first name, maiden name, last name, title, gender, job title, as well as any other identification-related personal data you provide in connection with our services, including social security number, assets, income and date of birth.
- Contact Data includes postal address, email address and telephone numbers.
- Technical Data includes internet protocol (IP) address, your login data, browser type and version, time zone setting and location.
- Profile Data includes your username and password, your interests, preferences, feedback and survey responses.
- Usage Data includes information about how you use our website and services.
- Marketing and Communications Data includes your preferences in receiving marketing from us and your communication preferences.
- Transactions Data, including but not limited to account numbers and balance, payments history, parties to transactions, cost basis information, and other financial information

We do not collect any Special Categories of Personal Data about you, such as details about your race or ethnicity, religious or philosophical beliefs, or personal life.

Lawful Basis For Using Personal Information

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances (each a lawful basis):

1. Where we need to perform the contract we are about to enter into or have entered into with you;
2. Where it is necessary for our legitimate interests and your interests and fundamental rights do not override those interests; or
3. Where we need to comply with a legal or regulatory obligation.

How Will The Information Be Used?

We will collect and store this personal information for the purposes of:

1. Conducting “know-your customer” and other due diligence pursuant to laws and regulations and FundX’s related policies and procedures;
2. Assessing your suitability as our client, including by verifying your identity;
3. Advising on potential transactions and transactions;
4. Administering any transaction that we enter into;
5. Providing a range of financial services;
6. Maintaining records of investments;
7. Billing and invoicing purposes;
8. Complying with our regulatory and legal obligations, including assessing and managing risk;
9. Maintaining a list of contacts;
10. Safeguarding our legal rights and interests;
11. Seeking and receiving advice from our professional advisors, including accountants, lawyers and other consultants;
12. Organizing and holding meetings and events; and
13. Sending you periodic updates about FundX’s business, activities and opportunities, in particular, by email and post; you can opt out of receiving updates at any time by asking your FundX contact to remove you from such updates.

Data Sharing

We share your personal information with third parties only as necessary, including third-party service providers. We require third parties to respect the security of your personal information and to treat it in accordance with the law.

The personal information we collect, use and store about individuals may be shared with:

1. Companies which process personal information on a client’s behalf;

2. Non-affiliated third parties who service and administer your account or process transactions, such as brokers or custodians;
3. Credit reference agencies;
4. Financial intermediaries;
5. Professional advisors, such as accountants, lawyers or other consultants;
6. FundX's auditors; and
7. Applicable regulators and other governmental agencies anywhere in the world.

As discussed above, our legal basis for collecting, using and storing personal information about you is that such processing is necessary for our legitimate interests in running our business, in particular by advising on potential transactions. If we advise on a potential transaction that you consider entering into, it will also be necessary for us to process your personal information for the purpose of performing in connection with the relevant contract and to comply with our regulatory and legal obligations.

We may also share your personal information with other FundX affiliates for internal administrative purposes.

FundX does not have a physical presence in the EU, and does not market to the EU.

Data Security

We have put in place appropriate measures to protect the security of your personal information.

Third parties will only process your personal information where they have agreed to treat the personal information confidentially and to keep it secure.

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorized way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to access it. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

Data Retention

We will only retain personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorized use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

When we no longer need personal data, we seek to ensure that it is securely deleted or destroyed in accordance with our data retention policy.

Your Legal Rights

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your relationship with us.

Under certain circumstances, under the GDPR you have the right to:

- **Access.** You have the right to obtain access to your personal data.
- **Rectification.** You have the right to ask for incorrect, inaccurate, or incomplete personal data to be corrected.
- **Erasure.** You have the right to request that personal data be erased.
- **Restriction on processing.** You have the right to request the restriction of the processing of your personal data in specific cases. You have the right to object where we are processing your personal information for direct marketing purposes.
- **Objection to processing.** You have the right to object to the processing of your personal data for marketing purposes or on grounds related to your particular situation.
- **Portability.** You have the right to receive your personal data in a machine-readable format and send it to another controller.

- **Withdrawal of consent.** You have the right to withdraw consent from FundX's direct marketing. In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time.
- **Filing a complaint.** If you are not satisfied with how FundX manages your personal information, you have the right to make a complaint to a data protection regulator located on a list of National Data Protection Authorities within your Member State.

If you wish to exercise any of the rights set out above, please contact us using the contact details at the end of this Privacy Policy.

No Fee Usually Required

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

What We May Need From You

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

Time Limit to Respond

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

Contact Us

FundX's Chief Compliance Officer and the Data Protection Committee are responsible for overseeing questions in relation to this Privacy Policy. If you have any questions

about this Privacy Policy, including any requests to exercise your legal rights regarding the processing of your personal data, please contact FundX using the details set out below.

Full name of legal entity: FundX Investment Group, LLC

E-mail address: issue@fundx.com

Postal address: 101 Montgomery Street, Suite 2400, San Francisco, CA 94110, USA

Telephone number: 415-986-7979