



Privacy Policy

June 2020

Important information

In accordance with Article 21 ICLG 2011/659, taking into account the nature, scope, context and purposes of processing, as well as the risks to the rights and freedoms of natural persons, Optima Asset LLC has implemented appropriate technical and organizational measures to ensure compliance with the [Data Protection Laws and Regulations \(USA\)](#) as amended from time to time.

This Policy provides to data subjects, information on who we are, how and why we collect personal data, the types of data collected, how data is used, when and with whom it may be shared and how data is stored safely. It also provides information on data subjects' rights in relation to their personal data being processed by us and on how to contact us and the supervisory authority in the event of a complaint.

This policy has been drafted in compliance with the requirements of the ICLG which applies across the United States.

Who we are?

Optima Asset LLC, a company registered in the of United States and whose registered office is 10 EAST 53RD STREET, NEW YORK, NY 100224 ("Optima Asset", "us", "our" or "we").

We are registered and regulated regarding the investor privacy rights by the Data Protection Laws and Regulations of the of United States. We act as a controller for the purposes of processing your personal data.

Third country clients are subject to the same rights under this Privacy Policy.

Personal information collected to provide our services

In the process and following your registration as a client for a live account with us and/or filling any other form on our Website, subscribing to our services, news or offers, marketing communications or posting material or contacting us via our communication methods, the following information about you ("Your Data") will be collected and stored for business, security purposes, service related, and/or legal purposes.



We limit the collection of personal data to what is necessary to administer our business and carry out our regulated activities in an effort to provide you with superior service.

Information that you provide to us directly:

- Personal information such as: names, addresses, Phone number, passport number, e-mail addresses etc ("Personal Information"), and
- Financial information such as: trading experience, employment information for appropriateness assessment (not personal data per se as this data do not identify any individual).



The type of data collected and purpose of collection

The type of data we collect along with the purpose of collection are listed below:

Personal data type:

Personal information such as gender, name, date of birth and address. Also, bank account numbers and any other information required for payment processing.

Contact information (email address and phone number).

Employment information, financial information, relevant education and trading experience.

Ethnicity, citizenship or national identity and passport number(s). Proof of photo ID, address verification.

Device information including version of web browser you use (security purposes).

Financial sanctions and credit header information.

Purpose:

To meet our anti money laundering (AML) and other regulatory obligations in relation to Know Your Client (KYC) and client due diligence. To verify your identity using our verification processes.

In order to send you correspondence in relation to the services provided.

In order to comply with KYC obligations and in order to meet our regulatory obligations relating to assessing the appropriateness of our products and services for each client.

In order to comply with KYC and regulatory trade reporting and other AML obligations.

How we use your personal information

- To contact you for the provision of our products and services that you requested from us or where you have consented to be contacted for products and services that we feel may be of interest to you;
- managing and administering the products and services provided to you;
- keeping you updated as a client in relation to changes to our services and relevant matters;
- provide, improve, test, and monitor the effectiveness of our service;
- develop and test new products and features;
- monitor metrics such as total number of visitors, traffic, and demographic patterns;
- diagnose or fix technology problems;
- to carry out our obligations arising from any contracts entered between you and us;
- we may use your data or permit selected third parties and our processors to use your data, to provide you with information about goods and services which may be of interest to you and we or they may contact you about these by email;
- we may also use your data, or permit selected third parties and our processors to use your data for business development services;
- to notify you about our website's updates;
- to send out newsletters or information about other opportunities that we believe will be of interest to you; only if you have provided your consent. You can opt-out from receiving marketing communications at any time by clicking on our email 'unsubscribe' option or by sending an email request to support@optimaasset.co.
- to promote safety and security. We use the information to verify accounts and activity and to promote safety and security on our regulated services, such as, by investigating suspicious activity or violations of our terms and conditions or policies. We work hard to protect your account using teams of IT specialists, automated systems, and advanced technology such as encryption.

Call recording

All telephone calls inbound and outbound are recorded. The recordings are stored on secure systems and accessed if required for: business purposes, monitoring of employees, to investigate or resolve complaints or for any legal obligation that Optima Asset is required to adhere to. We engage service providers who abide to applicable data protection legislation for the operation of our telephone systems.

Who we share your personal information with

We do not disclose personal information to third parties without your consent unless specified in this Policy.

We also impose strict restrictions on how our processors can use and disclose the data we provide. We disclose only what is necessary to third parties to perform their contractual obligations with us. Here are the types of third parties we share information with:

- **Service providers and other partners:** We transfer information to service providers (processors), and other partners who globally support our business, such as providing technical infrastructure services, trading platforms analysing how our Services are used such as measuring the effectiveness of ads and services, providing client service and support, client on-boarding, client identity verification, including USPEPs and sanctions, conducting marketing communications and design, services related to our website management, services related to software and business development services.

We may need to transfer personal data to recipients/service providers outside the United States for various reasons. These can include dealings with foreign public entities (only when necessary and under request), for the outsourcing of services to external providers and/or processing the data outside the United States (e.g. cloud computing, client identity verification and individuals from outside the ICLG accessing our web-services), or when arranging staff work trips to non-USA states.

- **Measurement and Analytics Services:** Partners who use our analytics services like Google Analytics (Non-Personally Identifiable Information Only). We do not share information that personally identify you (personally identifiable information is information like name or email address that can by itself be used to contact you or identify who you are) with advertising, measurement or analytics partners.

Partners like Microsoft Clarity and Microsoft Advertising who capture how you use and interact with our website through behavioral metrics, heatmaps, and session replay to improve and market our products/services. Website usage data is captured using first and third-party cookies and other tracking technologies to determine the popularity of products/services and online activity. Additionally, we use this information for site optimization, fraud/security purposes, and advertising. For more information about how Microsoft collects and uses your data, visit the [Microsoft Privacy Statement](#).



Optima Asset performs extensive due diligence before choosing processors. Our processors provide sufficient guarantees that they implement appropriate technical and organisational measures in such a manner that processing will meet ICLG requirements and ensure the protection of the data subjects' rights.

The adherence of our processor(s) to approved code(s) of conduct in addition to our *Agreement/Contract* and/or approved certification mechanism(s) are used as elements to demonstrate compliance with our obligations as the controller.

We ensure that any contract signed between us and our processors is binding as per applicable legislation. The contracts will be setting out the subject-matter and duration of the processing, the nature and purposes of the processing, the type of personal data and categories of data subjects and the risk to the rights and freedoms of the data subjects. Contracts will also include the specific tasks and responsibilities of the processor in the context of the processing to be carried out.

After the completion of the processing, the processor(s) should, at the choice of the controller, return or delete the personal data, unless there is a requirement to store the personal data temporary.

Cookie Data

We use cookies and similar technologies to provide and support our services. We will use cookies to distinguish you from other users of our website.

How our global services operate

Information collected within the ICLG may, for example, be transferred to countries outside of the ICLG for the purposes described in this Policy (for the business purposes). Optima Asset complies with all the general data protection principles and the ICLG as a whole, including the principles relating to international data transfers.

Optima Asset may engage in international data transfers only when satisfied that there is an adequate level of data protection. Adequacy assessments may be carried out by Optima Asset when transferring data outside the United States to conduct its regulated activities and services.

Adequate safeguards may be put in place in a number of ways including using Standard Contractual Clauses, Binding Corporate Rules, Binding Corporate Rules for Processors (BCRs), if applicable, or other contractual arrangements. Where “adequate safeguards” are established, the rights of data subjects continue to be protected even after their data has been transferred outside the United States for Business processing.

A data transfer can only be completed with a transfer agreement between Optima Asset and the third-party if the latter recipient is located inside the United States in a state not ensuring an adequate level of data protection. The transfer agreement shall be based on the above protections as applicable.

The information we collect regarding your account, including financial transactions such as deposits and withdrawals, is strictly confidential and will not be shared with governmental investigations or any third parties unless explicitly required by law or a binding legal obligation. We are committed to safeguarding your privacy and ensuring that your financial data is protected in all circumstances.

Your rights

Under the [ICLG](#) you have a number of important rights. In summary, those include rights to:

- Fair processing of information and transparency over how we use your personal information.
- The right to access your personal data.
- The right to request that personal data is corrected or updated if found to be inaccurate or out of date.
- The right to request that your personal data is erased where it is no longer necessary. We might not be able to comply with your request for legal reasons (if any) which will be communicated to you.
- Right to data portability: you have the right to receive your personal information in a structured, commonly used and machine-readable format and have the right to transmit those data to a third party (another controller) in certain situations.
- The right to withdraw consent to processing at any time, where relevant.
- The right to object at any time to the processing of your personal information for direct marketing purposes.
- The right not to be subject to a decision which is based solely on automated processing, including profiling, which may have legal effects or significantly affect you.
- The right to object in certain circumstances our continued processing of your personal information.
- Restrict the processing of your personal information in certain circumstances.

For further information on each of those rights, including the circumstances in which they apply, [contact your account manager](#).

If you would like to exercise any of your rights, please:

- send us an email, call or write to us at support@Optima Asset.
- provide adequate identification information (*i.e. account number, user-name, registration details*),
- provide proof of your identity and address (a copy of your driving licence or passport and a recent utility or credit card bill), and
- let us know the information to which your request relates, including any account or reference numbers (if available).

If you would like to unsubscribe from any emails or any marketing communications, you can also click on the 'unsubscribe' button at the bottom of the email communication or by sending an email to:

support@optimaasset.co

Legal basis for processing personal data

Reasons we can collect and use your personal information:

Lawful basis for processing

Under ICLG, there must be a lawful basis for all processing of personal data. We rely on:

- **Contractual performance**
Processing is necessary for the performance of a contract to which the data subject is a party or to take steps at the request of the data subject prior to the entry into a contract to engage in regulated activities.
- **Compliance with legal obligations**
Optima Asset (as a controller) has to comply with legal obligations.
- **Legitimate interest**
Data will only be processed where necessary for the purposes of the legitimate interests pursued by Optima Asset, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subjects which require protection. For instance, it is a legitimate interest of Optima Asset to process personal data of potential client(s) in order to expand the business and develop new business relations. Optima Asset will provide information to data subjects on the relevant legitimate interest if processing is based on this provision.

In any other case, we will require your consent to process your personal information. Such consent must be given freely and can be withdrawn at any time. We might use your personal information for marketing communications. You can opt-out from such communications at any time by clicking on 'unsubscribe' or by sending an email to support@optimaasset.co.

Keeping your personal information secure

We store your personal data in secure computer storage facilities. We have appropriate security measures in place to keep them confidential, prevent accidental loss, misuse, modification, disclosure or unauthorised access.

We limit access to personal information to those who have a genuine business need to know. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

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

Data Retention Period

We store your personal information for a period of at least 5 months after the end of the business relationship to comply with our record keeping obligations under applicable Anti Money Laundering Laws as amended from time to time.

We are required to delete all personal data at the end of that period unless we have to store the data for a prolonged period of time based on any applicable legal requirement or if the data subject has expressly consented to their data being held for an extended period of time.

What happens if there is a change of control

If there is a change of control/ownership at Optima Asset (e.g., in the course of a transaction like a merger, acquisition, dissolution, liquidation), your personal information may be transferred accordingly. You will not lose access to your account(s) or the right to claim any of your rights under this Privacy Policy. The new controllers will be required to abide to the requirements of this Privacy Policy.

How to complain or resolve your queries

How to contact us:

We hope that our Customer Support or our Data Protection Officer can resolve any query or concern you raise about your personal information.

If you have any questions or complaints, you can contact our Customer Support Team at support@optimaasset.co.

The data controller responsible for your information is Optima Asset LLC, which you can contact online, by email, by post or telephone call.

Address: 10 EAST 53RD STREET, NEW YORK, NY 10022



National requirements

Optima Asset complies with the ICLG and United States and national data protection legislation. We shall obey to national legislation if a higher level of protection of personal information is required. We ensure that our policies/ procedures are in accordance to applicable legislation and are complied with at all times.

Changes to this Privacy Policy

This Privacy Policy was published and last updated in June 2020, We shall inform you via email or via our official website for any changes to this Privacy Policy.

Do you need extra help?

If you would like to receive this Privacy Policy in another format, please contact us support@optimaasset.co.