

BTCS Inc.

Privacy Notice for California Residents

Last Modified: January 10, 2023

This **Privacy Notice for California Residents** (the “**Policy**”) supplements the information contained in BTCS, Inc.’s [Privacy Policy](#) and applies solely to all visitors, users, and others who reside in the State of California (“**consumers**” or “**you**”). We have adopted this notice to comply with the California Consumer Privacy Act of 2018, as may be amended from time to time (“**CCPA**”), including the California Privacy Rights Act (“**CPRA**”), and any terms defined in the CCPA or CPRA have the same meaning when used in this Policy.

Information We Collect

We collect information that identifies, relates to, describes, references, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer, household, or device (“**personal information**”). Personal information does not include:

- Publicly available information from government records.
- De-identified or aggregated consumer information.
- Information excluded from the CCPA’s scope, like:
 - health or medical information covered by the Health Insurance Portability and Accountability Act of 1996 (“**HIPAA**”) and the California Confidentiality of Medical Information Act (“**CMIA**”) or clinical trial data, or other qualifying research data;
 - personal information covered by certain sector-specific privacy laws, including the Fair Credit Reporting Act (“**FCRA**”), the Gramm-Leach-Bliley Act (“**GLBA**”) or California Financial Information Privacy Act (“**FIPA**”), and the Driver’s Privacy Protection Act of 1994;
 - protection of trade secrets;
 - protection of free speech and press rights for noncommercial activities protected by California’s Constitution;
 - exemption of certain commercial credit reporting agency actions from the deletion and opt-out rights;
 - exemption of household data from the business’s right to know, deletion, and correction response obligations;
 - exemption of student grades, educational scores, or educational test results held for a local educational agency from the deletion right;
 - exemption of educational standardized assessments, including specific responses, from the right to know’s disclosure requirements when disclosure could jeopardize its validity or reliability; and

- exemption of physical items containing personal information from the deletion and opt-out rights, such as the consumer’s photograph, if the consumer previously consented to the item’s creation and other circumstances apply.

In particular, we have collected the following categories of personal information from consumers within the last twelve (12) months:

| Category | Examples | Collected |
|---|---|-----------|
| A. Identifiers. | A real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, Social Security number, driver’s license number, passport number, or other similar identifiers. | YES |
| B. Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)). | A name, signature, Social Security number, physical characteristics or description, address, telephone number, passport number, driver’s license or state identification card number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, or any other financial information, medical information, or health insurance information. Some personal information included in this category may overlap with other categories. | YES |
| C. Protected classification characteristics under California or federal law. | Age (40 years or older), race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status, genetic information (including familial genetic information). | YES |
| D. Commercial information. | Records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies. | YES |
| E. Biometric information. | Genetic, physiological, behavioral, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information, such as, fingerprints, faceprints, and voiceprints, iris or retina scans, keystroke, gait, or other physical patterns, and sleep, health, or exercise data. | NO |

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|---|--|-----|
| F. Internet or other similar network activity. | Browsing history, search history, information on a consumer’s interaction with a website, application, or advertisement. | YES |
| G. Geolocation data. | Physical location or movements. | YES |
| H. Sensory data. | Audio, electronic, visual, thermal, olfactory, or similar information. | NO |
| I. Professional or employment-related information. | Current or past job history or performance evaluations. | NO |
| J. Non-public education information (per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99)). | Education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records. | NO |
| K. Inferences drawn from other personal information. | Profile reflecting a person’s preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes. | NO |
| L. Sensitive personal information | Personal information that reveals a consumer’s social security, drivers’ license, state identification card, or passport number; account log-in, financial account, debit card, or credit card number in combination with any required security or access code, password, or credentials allowing access to an account; precise geolocation; racial or ethnic origin; religious or philosophical beliefs; union membership; or genetic data. | YES |

We obtain the categories of personal information listed above from the following categories of sources:

- Directly from you. For example, from forms you complete, or other communications with us.
- Indirectly from you. For example, from observing your actions on our Website.

Use of Personal Information

We may use or disclose the personal information we collect for one or more of the following purposes:

- To fulfill or meet the reason you provided the information. For example, if you share your name and contact information to ask a question about the Website or our products or services, we will use that personal information to respond to your inquiry. If you provide your personal information to purchase a product or service, we will use that information to process your payment and facilitate delivery. We may also save your information to facilitate new product orders or process returns.
- To enforce our [Platform and Staking Services Agreement](#), [Terms of Use](#), [Privacy Policy](#) and other agreements.
- To provide, support, personalize, and develop our Website, products, and services.
- To create, maintain, customize, and secure your account with us.
- To process your requests, purchases, transactions, and payments and prevent transactional fraud.
- To provide you with support and to respond to your inquiries, including to investigate and address your concerns and monitor and improve our responses.
- To personalize your Website experience and to deliver content and product and service offerings relevant to your interests, including targeted offers and ads through our Website, third-party sites, and via email or text message (with your consent, where required by law).
- To help maintain the safety, security, and integrity of our Website, products and services, databases and other technology assets, and business.
- For testing, research, analysis, and product development, including to develop and improve our Website, products, and services.
- To respond to law enforcement requests and as required by applicable law, court order, or governmental regulations.
- As described to you when collecting your personal information or as otherwise set forth in the CCPA.
- To evaluate or conduct a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of our assets, whether as a going concern or as part of a bankruptcy, liquidation, or similar proceeding, in which personal information held by us about our website users/consumers is among the assets transferred.
- To maintain legal and regulatory compliance.

We will not collect additional categories of personal information or use the personal information we collected for materially different, unrelated, or incompatible purposes without providing you notice.

Automated Decision-Making and Profiling

We do not use automated decision-making, but we do use profiling. We do not consider that the use of profiling has any legal effect on you or significantly affects you.

You have the right to object to our use of profiling described in this section. You can do that by opting out of cookies and similar technologies in accordance with the method described in the relevant section below. If you do not want us to process your actual IP address (such as the IP address assigned to you by your Internet Service Provider) when you visit our Website, you can use a virtual private network (VPN).

Profiling

Profiling is any form of automated processing of your information to evaluate personal aspects about you, in particular to analyze or predict things like your performance at work, economic situation, health, personal preferences, interests, reliability, behavior, location or movements.

Use of Profiling for Web Analytics

Our web analytics services, such as Google Analytics, collect information such as your location (based on your IP address) and your behavior (based on cookies) when you access our Website (such as the pages you visit and what you click on). We will only process information from cookies if you have consented to us setting cookies on your computer.

By automatically analyzing and categorizing information such as the location (based on IP address) as well as the behavior and devices of visitors to our Website (using cookies), we are able to gain a better understanding of what our Website visitors require (in terms of the content of our Website and our products and services), how to improve our Website and how to advertise and market our products and services to them.

Cookies will be used to track and store information about your behavior and device on our Website (unless you have opted out from receiving such cookies by rejecting cookies) and your location will be analyzed based on your IP address. We have a legitimate interest in processing this information for the purpose of improving our Website for our Website users and getting to know our Website user's preferences so our Website can better meet their needs and desires.

Sharing Personal Information

We may share your personal information by disclosing it to a third party for a business purpose. We only make these business purpose disclosures under written contracts that describe the purposes, require the recipient to keep the personal information confidential, and prohibit using the disclosed information for any purpose except performing the contract. In the preceding twelve (12) months, the Corporation has disclosed the following categories of personal information for a business purpose to the categories of third parties indicated in the chart below.

We do not sell personal information. In the preceding twelve (12) months, the Corporation has not sold personal information. For more on your personal information sale rights, see “**Personal Information Sales**” or “**Sharing Opt-Out and Opt-In Rights**” below.

| | |
|--|---|
| | Category of Third-Party Recipients |
|--|---|

| Personal Information Category | Business Purpose Disclosures | Sharing |
|--|---|---|
| A: Identifiers. | (a) Business Communication and Collaboration Tool (b) Data Analytics Provider (c) Payment Processor | (a) Business Communication and Collaboration Tool (b) Data Analytics Provider (c) Payment Processor |
| B: California Customer Records personal information categories. | (a) Business Communication and Collaboration Tool (b) Data Analytics Provider (c) Payment Processor | (a) Business Communication and Collaboration Tool (b) Data Analytics Provider (c) Payment Processor |
| C: Protected classification characteristics under California or federal law. | (a) Data Analytics Provider | (a) Data Analytics Provider |
| D: Commercial information. | (a) Data Analytics Provider | (a) Data Analytics Provider (b) Professional Advisors |
| E: Biometric information. | (a) Data Analytics Provider | (b) Data Analytics Provider |
| F: Internet or other similar network activity. | (a) Data Analytics Provider | (a) Data Analytics Provider (b) Professional Advisors |
| G: Geolocation data. | (a) Data Analytics Provider | (a) Data Analytics Provider |
| H: Sensory data. | None | None |
| I: Professional or employment-related information. | (a) Data Analytics Provider | (b) Data Analytics Provider |
| J: Non-public education information. | None | None |
| K: Inferences drawn from other personal information. | (a) Professional Advisors | (b) Professional Advisors |

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|------------------------------------|-----------------------------|-----------------------------|
| L: Sensitive personal information. | (a) Data Analytics Provider | (a) Data Analytics Provider |
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Retention of Personal Information

This section sets out how long we retain your information. We have set out specific retention periods where possible. Where that has not been possible, we have set out the criteria we use to determine the retention period.

Retention Periods

Correspondence and enquiries: when you make an enquiry, or correspond with us for any reason, whether by email, via mail or by phone, we will retain your information for as long as it takes to respond to and resolve your enquiry, and for one (1) year thereafter, at such time we will delete your information.

E-Newsletter: we retain the information you used to sign up for our e-newsletter for as long as you remain subscribed (i.e. you do not unsubscribe) or if we decide to cancel our e-newsletter service, whichever comes earlier.

Criteria for determining retention periods: In any other circumstances, we will retain your information for no longer than necessary, taking into account the following:

- the purpose(s) and use of your information both now and in the future (such as whether it is necessary to continue to store that information in order to continue to perform our obligations under a contract with you or to contact you in the future);
- whether we have any legal obligation to continue to process your information (such as any record-keeping obligations imposed by relevant law or regulation);
- whether we have any legal basis to continue to process your information (such as your consent);
- how valuable your information is (both now and in the future);
- any relevant agreed industry practices on how long the information should be retained;
- the levels of risk, cost and liability involved with us continuing to hold the information;
- how difficult it may be to ensure that the information can be kept up to date and accurate; and
- any relevant surrounding circumstances (such as the nature and status of our relationship with you).

Your Rights and Choices

The CCPA and CPRA provide consumers (California residents) with specific rights regarding their personal information. This section describes your CCPA and CPRA rights and explains how to exercise those rights.

Right to Know and Data Portability

You have the right to request that we disclose certain information to you about our collection and use of your personal information over the past twelve (12) months (the “**right to know**”). Once we receive your request and confirm your identity (see “**Exercising Your Rights to Know or Delete or Correct**”), we will disclose to you:

- The categories of personal information we collected about you.
- The categories of sources for the personal information we collected about you.
- Our business or commercial purpose for collecting or selling that personal information.
- The categories of third parties with whom we share that personal information.
- If we sold, shared, or disclosed your personal information for a business purpose, three separate lists disclosing:
 - sales, identifying the personal information categories that each category of recipient purchased;
 - sharing, identifying the personal information categories that each category of recipient shared; and
 - disclosures for a business purpose, identifying the personal information categories that each category of recipient obtained.
- The specific pieces of personal information we collected about you (also called a data portability request).

Right to Delete

You have the right to request that we delete any of your personal information that we collected from you and retained, subject to certain exceptions (the “**right to delete**”). Once we receive your request and confirm your identity (see “**Exercising Your Rights to Know or Delete or Correct**”), we will review your request to see if an exception allowing us to retain the information applies. We may deny your deletion request if retaining the information is necessary for us or our service provider(s) or contractor(s) to:

1. Complete the transaction for which we collected the personal information, provide a good or service that you requested, take actions reasonably anticipated within the context of our ongoing business relationship with you, fulfill the terms of a written warranty or product recall, if any, conducted in accordance with federal law, or otherwise perform our contract with you.
2. Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.
3. Debug products to identify and repair errors that impair existing intended functionality.
4. Exercise free speech, ensure the right of another consumer to exercise their free speech rights, or exercise another right provided for by law.
5. Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 *et. seq.*).
6. Engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when the information’s

deletion may likely render impossible or seriously impair the research's achievement, if you previously provided informed consent.

7. Enable solely internal uses that are reasonably aligned with consumer expectations based on your relationship with us.
8. Comply with a legal obligation.
9. Make other internal and lawful uses of that information that are compatible with the context in which you provided it.

We will delete or de-identify personal information not subject to one of these exceptions from our records and will direct our service providers or contractors to take similar action.

We do not provide these deletion rights for B2B personal information.

Right to Correct

In certain circumstances, you have the right to request correction of any inaccurate personal information. Upon verifying the validity of a verifiable consumer correction request (see “**Exercising Your Rights to Know or Delete or Correct**”), we will use commercially reasonable efforts to correct your personal information as directed, taking into account the nature of the personal information and the purposes of maintaining your personal information. Please contact us at support@stakeseeker.com to request a correction of any inaccurate personal information that we have collected online from you.

Exercising Your Rights to Know or Delete or Correct

To exercise your rights to know or delete or correct described above, please submit a request by either:

- Emailing us at support@stakeseeker.com.

Only you, or someone legally authorized to act on your behalf, may make a request to know or delete or correct related to your personal information.

You may also make a request to know or delete or correct on behalf of your child by emailing us at support@stakeseeker.com.

You may only submit a request to know twice within a 12-month period. Your request to know or delete or correct must:

- Provide sufficient information that allows us to reasonably verify you are the person about whom we collected personal information or an authorized representative.
- Describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

We cannot respond to your request or provide you with personal information if we cannot verify your identity or authority to make the request and confirm the personal information relates to you.

We will only use personal information provided in the request to verify the requestor's identity or authority to make it.

For instructions on exercising your sale opt-out or opt-in rights, see “**Personal Information Sales and Sharing Opt-Out and Opt-In Rights.**”

Response Timing and Format

We will confirm receipt of your request within ten (10) business days. If you do not receive confirmation within the 10-day timeframe, please contact support@stakeseeker.com.

We endeavor to substantively respond to a verifiable consumer request within forty-five (45) days of its receipt. If we require more time (up to another forty-five (45) days), we will inform you of the reason and extension period in writing.

If you have an account with us, we will deliver our written response to that account. If you do not have an account with us, we will deliver our written response by mail or electronically, at your option.

Any disclosures we provide will only cover the twelve (12)-month period preceding our receipt of your request. The response we provide will also explain the reasons we cannot comply with a request, if applicable. For data portability requests, we will select a format to provide your personal information that is readily useable and should allow you to transmit the information from one entity to another entity without hindrance.

We do not charge a fee to process or respond to your verifiable consumer request unless it is excessive, repetitive, or manifestly unfounded. If we determine that the request warrants a fee, we will tell you why we made that decision and provide you with a cost estimate before completing your request.

Personal Information Sales and Sharing Opt-Out and Opt-In Rights

While the Corporation does not permit users of the Website to be under the age of 18, California law provides that if you are age 16 or older, you have the right to direct us to not sell or share your personal information at any time (the “**right to opt-out**”). As such, we do not sell or share the personal information of consumers we actually know are less than sixteen (16) years old. Consumers who opt-in to personal information sales or sharing may opt-out of future sales or shares at any time.

To exercise the right to opt-out, you (or your authorized representative) may submit a request to us by submitting an email to support@stakeseeker.com with subject “*Do Not Sell or Share My Personal Information*” or “*Limit the Use of My Sensitive Personal Information*”.

Once you make an opt-out request, we will wait at least twelve (12) months before asking you to reauthorize personal information sales or sharing. However, you may change your mind and opt back in to personal information sales at any time by submitting an email to support@stakeseeker.com.

You do not need to create an account with us to exercise your opt-out rights. We will only use personal information provided in an opt-out request to review and comply with the request.

Non-Discrimination

We will not discriminate against you for exercising any of your CCPA rights. Unless permitted by the CCPA, we will not:

- Deny you goods or services.
- Charge you different prices or rates for goods or services, including through granting discounts or other benefits, or imposing penalties.

- Provide you a different level or quality of goods or services.
- Suggest that you may receive a different price or rate for goods or services or a different level or quality of goods or services.

However, we may offer you certain financial incentives permitted by the CCPA that **can result** in different prices, rates, or quality levels. Any CCPA-permitted financial incentive we offer will reasonably relate to your personal information's value and contain written terms that describe the program's material aspects. Participation in a financial incentive program requires your prior opt-in consent, which you may revoke at any time.

Other California Privacy Rights

California's "**Shine the Light**" law (Civil Code Section § 1798.83) permits users of our Website that are California residents to request certain information regarding our disclosure of personal information to third parties for their direct marketing purposes. To make such a request, please send an email to support@stakeseeker.com.

California consumers will also have the right to:

- Correct inaccurate personal information.
- Opt-out of sharing personal information for cross-context behavioral advertising purposes.
- Restrict sensitive personal information use and disclosure.

Changes to Our Privacy Notice

We reserve the right to amend this Policy at our discretion and at any time. When we make changes to this Policy, we will post the updated notice on the Website and update the notice's effective date. **Your continued use of our Website following the posting of changes constitutes your acceptance of such changes.**

Contact Information

If you have any questions or comments about this notice, the ways in which we collect and use your information described here and in the [Privacy Policy](#), your choices and rights regarding such use, or wish to exercise your rights under California law, please do not hesitate to contact us at:

Website: <https://www.btcs.com>

Email: support@stakeseeker.com

Postal Address:

BTCS Inc.
9466 Georgia Avenue, #124
Silver Spring, MD 20910
Attn: Privacy Department

If you need to access this Policy in an alternative format due to having a disability, please contact support@stakeseeker.com.