



## POLEN CAPITAL PRIVACY POLICY

### INTRODUCTION

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Polen Capital Management, LLC (“Polen Capital”, “we”, “us”, or “our”) is committed to protecting the privacy of personally identifiable information (“PII”) of identifiable individuals who visit <https://www.polencapital.com/> (the “Site”) and inquire about or use services associated with our business available through our Site (the “Service/s”), or express interest in our business. The privacy of your PII is important to us at Polen Capital.

In order to provide you with Services you may request, it is necessary for us to possess some PII of yours. Similarly, without some of that information, we cannot inform you about the Services we have available or that you may request (though if you are currently receiving marketing communications from us, you may opt-out of receiving further communications at any time). This Privacy Policy explains our PII policies and practices. It includes, but is not limited to, explanations of the types of PII we may collect about you, the purposes for collecting such information, the circumstances under which we may disclose such information to third parties, the measures we take to secure the confidentiality of such information, your rights regarding your PII, and the way to contact us to exercise those rights.

Amendments to this Privacy Policy will be posted to the Site and/or Services and will be effective when posted. Your continued use of the Services following the posting of any amendment to the Privacy Policy shall constitute your acceptance of such amendments.

### PURPOSES FOR COLLECTING YOUR PII

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You may provide your PII to Polen Capital in order to fulfill a Service. You are then entering a business relationship with Polen Capital and are agreeing to the use of that data by Polen Capital and its applicable worldwide affiliated companies, as stated in this Privacy policy. We request PII for a variety of purposes throughout your interaction with Polen Capital, some of which are listed below:

- To open an account for you;
- To maintain the Site;
- For our everyday business purposes such as to process your transactions, and maintain your accounts(s);
- To process a transaction for your account, or otherwise in furtherance of our business;

- The performance of obligations under your agreement with us (including all applicable anti-money laundering, know your customer and other related laws, rules and regulations), including in connection with assessing suitability of potential investors;
- For our marketing purposes in order to offer our or other financial companies' products and services to you;
- For our affiliates' everyday business purposes, including certain information about your transactions, experiences, and creditworthiness;
- Ongoing communication with potential investors, their representatives, advisors and agents, (including the negotiation, preparation and execution of documentation);
- The ongoing administrative, accounting, reporting and other processes and communication required to operate the business in accordance with the agreements and other applicable documentation between the parties;
- Any legal or regulatory requirement; and
- Any other purpose that has been notified, or has been agreed, in writing.

## LAWFUL BASIS

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Our collection and use of your PII is lawful. There is a need to process PII for the purposes set out in this Privacy Notice as a matter of contractual necessity under or in connection with the applicable agreement, and in the legitimate interests of Polen Capital to operate their respective businesses. From time to time, Polen Capital may need to process the PII on other legal bases, including: to comply with a legal obligation; if it is necessary to protect the vital interests of an investor or other data subjects; or if it is necessary for a task carried out in the public interest. For the purposes listed above, Polen Capital is relying on performance of a contract necessity and legitimate interests.

A failure to provide the PII requested to fulfill the purposes described in this Privacy Notice may result in Polen Capital being unable to provide the services in connection with the terms of the subscription agreement.

## TYPES OF INFORMATION WE COLLECT

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This section explains the PII that may be collected when using our Services, and the other information we may receive from other sources. In this Privacy Policy, the term "PII" refers to the types of information we may collect and use. Some examples are listed below:

- Contact details, such as your full name, e-mail address, postal address and telephone number;
- Educational, nationality and professional background information;
- Usernames and passwords;

- Comments, feedback, posts and other content submitted to staff; and
- Interests and communication preferences including marketing permissions where appropriate.

## Sources for Collected PII

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The information we collect about you (such as your name, address, social security number, assets and income) are from (1) our discussions with you, (2) account and qualification documents that you may deliver to us and (3) in the course of providing advisory services for you.

We may receive information about you from other sources and combine that information with the PII we collect directly from you. For example, we may receive payment information from the organization you use to pay us in order to correct our records. Additionally, to promote protection of your identity, we also may collect credit or identity information which we use to help prevent and detect fraud.

## Sharing Your PII

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Your PII may be combined with information we receive from other sources, or it may be provided to other organizations we work with. This section details that sharing of your PII. We do not disclose your non-public personal information to third parties other than as described below.

## Sharing PII with Third Parties

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We will not sell your PII. If we share your PII with third parties performing services for us, or acting on our behalf, we will not allow them to use your information for other purposes, and we will contractually require them to protect your information.

We may share your PII with our affiliates, business partners, and other third parties. We may do so for the purposes of operating our business, delivering and improving the financial services we provide to you, as well as for other legitimate purposes permitted by applicable law such as sending marketing and other communications related to our business.

We also share personal information for a variety of additional purposes including, but not limited to:

- For our everyday business purposes, such as to process your transactions or maintain your accounts(s);
- For our affiliates' everyday business purposes, including certain information about your transactions, experiences, and creditworthiness;
- Respond to court orders and legal investigations; or
- For our affiliates to market to you.

Please note that we do **not** share PII with third parties:

- For our marketing purposes - to offer our products and services to you;
- For joint marketing with other financial companies;

- For our affiliates' everyday business purposes, including information about your creditworthiness; or
- For nonaffiliates to market to you.

Polen Capital does not sell or disclose to nonaffiliated third parties any nonpublic personal information about its clients, except as permitted by law or as is necessary to service client accounts. To the fullest extent permitted by law, these nonaffiliated third parties are required to protect the confidentiality and security of this information and to use it only for its intended purpose.

## RESTRICTED USE REGARDING MINORS

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This Site is not intended or designed to be used by children under the age of 13. We do not collect PII from any person we know to be under the age of 13 and instruct children under 13 not to send us any information.

## PROTECTION OF PERSONALLY IDENTIFIABLE INFORMATION

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We are committed to protecting your personal data from unauthorized access and use. Polen Capital has taken appropriate technical, organisational, administrative, physical and procedural measures, consistent with local and international information practices, to protect the personal data from misuse, unauthorized access or disclosure, loss, alteration, or destruction. These measures include:

- *Physical safeguards*, such as locked doors and file cabinets, controlled access to our facilities.
- *Technological safeguards*, such as use of anti-virus and endpoint protection software, encryption, and monitoring of our systems and data centres to ensure compliance with our security policies.
- *Organizational safeguards*, through training and awareness programs on security and privacy, to ensure personnel understand the importance and means by which they must protect personal data, as well as through privacy policies and policy standards that govern how we treat personal data.

## DATA STORAGE AND RETENTION

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Your PII will be retained only for as long as the information is needed to fulfill the purposes for which it was collected and processed. We reserve the right to retain and use your PII for as long as necessary to comply with our legal obligations and business requirements and/or to resolve ongoing disputes and enforce our agreements.

## OUR SITE AND USE OF COOKIES

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We use various technologies to collect other types of information, including PII, automatically. For example, in order to measure the usefulness and efficiency of our Sites, we automatically track certain information from all visitors to our Sites. The types of information we might track may include the Internet address that you just came from, which Internet address you go to, what browser you are using, your IP address, your internet service provider, date and timestamp information, or clickstream information.

Additionally, like most interactive web sites, we use "cookies" on certain pages of our Sites. "Cookies" are small data files that are stored on your hard drive that store certain information, including certain PII, accessible to our Sites, such as your password and any information content preferences you may voluntarily set at our Sites. These technologies help us recognize you, customize your experience on the Sites and analyze your use of the Sites to make them more useful to you. **By visiting our Sites, you agree to our use of cookies.** For more details, please refer to our [Cookie Policy](#).

You can refuse the use of cookies by selecting the appropriate browser setting. If you opt-out, please note that your experience using the Sites may not be optimal, and you may not be able to use certain features on our Sites. For information on how to remove or manage cookie functions and adjust your privacy and security preferences, access the "help" menu on your internet browser, or visit <http://www.aboutcookies.org/how-to-control-cookies>.

We also use analytics providers, such as Google Analytics to help us evaluate the Sites. To opt out of the aggregation and analysis of data collected about you on the Sites by Google Analytics, visit <https://tools.google.com/gaoptout> and download and install the Google Analytics Opt-out Browser Add-on.

## AUTOMATED DECISION MAKING

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We do not use automated processing, including profiling, to make decisions that will have either legal or material effects on the individuals from whom we collect and process PII.

## TRANSFERS OF PII

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Your PII may be transferred, processed and/or stored in a country other than the one in which your PII is collected. When transferring your PII to the US or other countries, we have implemented procedures to ensure that appropriate safeguards are in place to protect the PII regardless of where it is being transferred to.

In addition to disclosing PII amongst themselves, Polen Capital may disclose PII, where permitted by law, to other service providers, prospective or current investors in applicable funds, employees, agents, contractors, consultants, professional advisers, lenders, data processors and persons employed and/or retained by them in order to fulfill the purposes described in this Privacy Notice. In addition, Polen Capital

may share PII with regulatory bodies having competent jurisdiction over them, as well as with tax authorities, auditors and tax advisors (where necessary or required by law, rule or regulation).

Polen Capital may transfer PII to a non-equivalent country (a country or territory other than (i) a member state of the EEA; or (ii) a country or territory which has at the relevant time been decided by the European Commission in accordance with EU law to ensure an adequate level of protection for PII), in order to fulfill the purposes described in this Privacy Notice and in accordance with applicable law, rule or regulation, including where such transfer is a matter of contractual necessity to enter into, perform and administer agreements, and to implement requested pre-contractual measures. For information on the safeguards applied to such transfers, please contact [privacy@polencapital.com](mailto:privacy@polencapital.com).

## YOUR EU DATA SUBJECT RIGHTS

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The European Union’s General Data Protection Regulation (“GDPR”) is a sweeping piece of legislation that grants EU residents increased control over their PII. The GDPR allows consumers to access their PII and find out details of how that data is processed, to rectify inaccurate PII, to have their data erased (when certain conditions are met), to restrict processing of their data, and more. It requires affected companies to create processes to comply with and facilitate consumer data requests, to update their privacy policies, and to ensure that PII is secured.

Specifically, the GDPR and other national privacy laws provide data subjects with certain rights regarding their PII. If you are an individual who resides in the EU and whose PII is collected and processed by Polen Capital, you have the right to:

- Request access to your data
- Rectify your data
- Take your data (in a readable, “portable” format) to another service provider
- Erase your PII
- Restrict or object to the processing of your PII
- Lodge a complaint with a Member State Supervisory Authority
- Withdraw previously given consent to collect and process PII (which will not impact PII processed before the withdrawal)

## PII RIGHTS FOR CALIFORNIA RESIDENTS

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The California Consumer Privacy Act (“CCPA”) requires us to make certain additional disclosures and provides California residents with the ability to request additional information about their PII. If you are a California resident and it is determined that the CCPA applies to you, this section details those rights, how you may exercise them, and what Polen Capital will do in response.

Please note that the rights under the CCPA do not apply to PII collected, processed, sold or disclosed pursuant to Gramm-Leach-Bliley Act (Public Law 106-102) and Fair Credit Reporting Act (12 CFR 1022).

If you are an individual who resides in California and whose PII is collected and processed by Polen Capital, you may have the right to:

- Request that we disclose, free of charge, the categories and specifics of the PII we collect about California residents, the sources from which the PII was collected (and/or, if applicable, sell or otherwise disclose to a third party), and the business purpose for collecting PII.
- Choose to opt-out of the sale of PII. Currently, however, Polen Capital does not sell PII.
- Request that we delete the PII we have collected. Following our verification of the request, we will comply with the request and delete any or all the PII in our possession that we collected from the California resident and/or any or all such PII in the possession of our service providers, unless otherwise restricted by law or regulation.

## **Non-Discrimination for Exercising Your PII Rights**

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We follow the requirements of California Civil Code §1798.125, and will not discriminate against any consumer who exercises the rights set forth in this privacy policy.

## **QUESTIONS OR CONCERNS AND EXERCISING YOUR DATA SUBJECT RIGHTS**

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If you have any questions or concerns regarding the information in this privacy policy, or would like to exercise any of your rights set forth in this privacy policy, please contact Polen Capital at +1 888-383-0717 or [privacy@polencapital.com](mailto:privacy@polencapital.com). Please include a description of what right you want to exercise and the information to which your request relates. Please note that you may only make a disclosure request twice within a 12-month period.

If you think we have not complied with the requirements of the GDPR as it applies to your personal data, you have a right to lodge a complaint with any data protection supervisory authority in the EU. One such Supervisory Authority is the ICO The Information Commissioner's Office (ICO) in the UK: [casework@ico.org.uk](mailto:casework@ico.org.uk) or 0303 123 1113 / +44 1625 545 700; [www.ico.org.uk](http://www.ico.org.uk).

You can find details of other EU Supervisory Authorities here: [https://ec.europa.eu/justice/article-29/structure/data-protection-authorities/index\\_en.htm](https://ec.europa.eu/justice/article-29/structure/data-protection-authorities/index_en.htm).

## **Verifying Your Identity**

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If you choose to contact us with a request, you will need to provide us with identifying information that matches the PII we currently have about you.

## **Authorized Agent**

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You have the right to appoint an authorized agent to exercise your rights on your behalf. If you would like to do so, please contact Polen Capital at +1-888-383-0717 or [privacy@polencapital.com](mailto:privacy@polencapital.com).

## **Accessibility Information**

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For consumers with disabilities who need to access this policy in an alternative format, please contact Polen Capital at +1-888-383-0717 or [privacy@polencapital.com](mailto:privacy@polencapital.com).

## **CHANGES TO THIS PRIVACY NOTICE**

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From time to time we may update this privacy notice. If revisions are made to the privacy notice, we will update the statement with a new revision date.

This privacy notice was last revised and posted on July 1, 2020.