



## U.S. Bank Japan Privacy Agreement

Last Update: December 2022

Protecting your privacy is important to U.S. Bank National Association. We want you to understand what information we collect, how we use it and with whom the information is shared. This U.S. Bank Japan Privacy Agreement (this “Agreement”) sets out the information practices associated with the Japan product offerings in U.S. Bank’s capacity as a Personal Information Handling Business Operator and may be amended from time to time (see Section 11 “Additional Rights and Modifications” below for an explanation of how we will advise you of future changes).

In this Agreement, “Service” means any personal or business banking, insurance, brokerage or financial product or service offered by us; “we”, “our” and “us” mean U.S. Bank and includes any program or joint venture in which we participate; “Business” means any business, corporation, partnership, trust, estate, association or other type of organization; “you” and “your” means an individual customer or cardholder, or an individual officer, director, authorized person, partner, trustee, executor, member, employee or cardholder of a Business customer, who has made application to us for, enrolled in or signed an application in respect of any Service and includes any co-applicants, guarantors or personal representatives; and “Personal Information” means information about any identifiable individual and as such, it may include your transactions or your account that we obtain in connection with providing a Service, such as that described in the examples in Section 3 below.

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## **1. Information We Collect**

We are generally required to collect Personal Information to deliver our products and services. Application for, our provision of and each use of any applicable Service constitutes your continuing consent to the matters set forth in this Agreement as required by applicable law in any applicable jurisdiction.

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## **2. Why We Collect, Use or Disclose Your Information (Purpose of Use)**

We collect, use and disclose Personal Information so we can: (i) understand your needs, your eligibility for our Services and the suitability of our Services to you and deliver Services tailored for your needs or the needs of a Business customer; (ii) set up, manage, offer, issue or provide to you or a Business customer a Service; (iii) know who you are in order to comply with applicable law in any applicable jurisdiction or to prevent unauthorized access to Personal Information or to any Service; (iv) process, authorize and authenticate transactions or payments in respect of any Service; (v) provide customer services to you; (vi) communicate with you about your accounts and transactions and changes to our services; (vii) design and improve the products we offer; (viii) personalize content and experiences, through profiling and other techniques; (ix) allow you to participate in surveys, sweepstakes, contests and similar promotions, and to administer these promotions; (x) comply with laws and regulations that we believe are applicable to us in Japan and other jurisdictions, including without limitation the rules of any self-regulatory organization; (xi) manage and assess our risks and collect a debt or enforce an obligation owed to us; (xii) prevent, investigate or detect fraud or criminal activity or to manage and settle any actual or potential loss in connection with fraud or criminal activity; and (xiii) respond to a court order, search warrant or other demand or request which we believe to be valid, or to comply with the rules of production of a court in any applicable jurisdiction.

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## **3. What Information We Collect**

We may collect Personal Information about you, such as:

- Information about your identity, such as your name, address, birth date, home address, home phone numbers, principal business or occupation, employee number, driver's license number, passport number, visa number, my number, social security number (if



applicable) and other identifying information. We may also collect certain biometric information, such as a voiceprint or other behavioral biometrics, for authentication or security purposes.

- Information about your transactions, such as your account balance and activity, payment history, source of incoming funds, how you intend to use the Service, general Service usage and our website or customer service usage.
- Information we receive from you or from our referral partners on applications or account forms, on other accounts you may have with us, such as your assets, liabilities or income.
- Credit and financially related information we receive from you, a Business customer or other organizations (including other financial institutions) and from references you or a Business customer has provided to us, such as your payment history, and if applicable, your credit history.

You agree that we may monitor, analyze or record any telephone call we have with you. The content of the call may also be retained. We may inform you before proceeding with the call of this possibility. This is to establish a record of the information you provide, to ensure that your instructions are followed properly and to improve customer service levels and security safeguards.

We may use technology to analyze telephone calls we have with you for authentication and security purposes. For example, to authenticate you, we may record a voiceprint, which is a non-reversible mathematical representation of your voice. Thereafter, each time you call us, we may match your voice to that voiceprint and analyze other aspects of the call to make sure it's you.

You agree that all information that you give us will, at any time, be true and complete. If any Personal Information changes or becomes inaccurate or out of date, you agree to advise us so we can update our records.

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#### **4. To Whom We Disclose Information**

We do not provide directly all the Services. We may use an affiliate or a third party service provider to process or handle Personal Information on our behalf and to assist us with various ancillary services, and you consent to any release of Personal Information about you to them. We also disclose Personal Information to others and you consent to this disclosure. For example, we may disclose Personal Information to: (i) our other offices and branches, our affiliates and third parties to assist us in providing, or as required for the operation of, the



Service, including without limitation payment networks, their affiliates and third party service providers; (ii) to our regulators and to legal, government or law enforcement authorities in response to legal process, subpoenas or as may otherwise be required by applicable law of any applicable jurisdiction; (iii) to an applicable Business customer and any party authorized by such Business customer including service providers to the Business customer; (iv) other financial institutions, including without limitation any financial institution that refers the provision of the Service to us; (v) to persons with whom you or the Business customer has a financial or other business dealing; (vi) if applicable, we may disclose Personal Information to collection agencies, credit bureaus, legal service providers or other parties associated with collecting any amounts owing in connection with any Service; and (vii) a prospective purchaser of the whole or any part of a Service or line of business of U.S. Bank.

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## **5. Sharing and Transfer of Personal Information**

Most of our offices and branches, our affiliates and our service providers or other third parties are located outside of Japan. As a result, your Personal Information may cross borders to the United States and possibly other countries and may be accessible to regulatory authorities in accordance with the law of these jurisdictions. We maintain physical, electronic, and procedural safeguards that comply with applicable law in applicable jurisdictions to guard Personal Information. Subject to applicable law in any applicable jurisdiction, we require third parties to whom we disclose Personal Information to protect the information in a manner that is consistent with this Agreement.

Your Personal Information will be used jointly with other U.S. Bank legal entities for the purposes indicated in Sections 2, 3 and 4. The individual responsible for the management of Personal Information is noted in Section 9.

In the event that we intend to sell or transfer ownership or control of any or all of our business, operations or services to a third party, we reserve the right to disclose your Personal Information to a potential buyer both before and after the purchase. However, in the event the sale goes through, we will require that the receiving party agree that they will be similarly bound by the provisions of this Agreement and that they will only use and disclose your Personal Information as we are similarly entitled under this Agreement. In the event the sale does not go through, we will require the potential purchaser to not use or disclose your Personal Information in any manner whatsoever and to completely erase the same.

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## **6. Retention of Information**



We may keep, use and disclose Personal Information about you in our records for as long as it is needed for the purposes described in this Agreement and in accordance with our applicable retention policies, even if you or the Business customer cease to be a customer.

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## **7. Online Privacy and Security**

Cookies are files saved on your computer or phone when you visit a website. We and certain trusted service providers operating on our behalf collect information about your activity on usbank.com and our other digital properties using tracking technologies such as cookies.

Purposes of Use: We use First-party and Third-party cookies, and we use Strictly Necessary, Performance, Functional and Targeting (Advertising) cookies to enhance your user experience, to provide you with (or evaluate you for) products and services, to communicate with you about your accounts or transactions, to enhance security and fraud prevention, to personalize content and ads, to optimize or improve our products and services, to comply with legal and regulatory obligations and to analyze our traffic.

Data Transfer: We share the information collected through cookies with third parties outside of Japan.

Our provision of and each use of any applicable Service, or your use of our digital properties constitutes your continuing consent to the use of this technology on our sites.

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## **8. Security Measures**

We have established internal policies to ensure compliance with all applicable laws and regulations. These policies define the roles and responsibilities of all officers and employees in each stage of the collection, use, storage, provision, and destruction of Personal Information. Requests and complaints associated with Personal Information processing may be directed to the contact listed in Section 9.

We maintain administrative, physical and technical controls to secure Personal Information under our control. We have appointed an individual responsible for the management of Personal Information (see Section 9), who oversees the established data breach reporting program and protocol for the handling of all potential and actual breaches.

We have instituted access controls, which define which employees may access Personal Information and under what circumstances, and regularly train employees about how to appropriately handle and secure Personal Information.



The physical security measures we maintain are designed to deny unauthorized access to facilities, equipment and resources and to protect personnel, property and Personal Information from damage or harm.

The technological controls we have in place restrict device and data access (through encryption and other means) to protect Personal Information from unauthorized access and malware.

We process Personal Information in several jurisdictions. We understand the data protection regimes applicable in these jurisdictions and take security measures appropriate to that external environment as necessary to protect Personal Information.

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## **9. Your Rights and Complaints**

You may exercise your rights to access (know), correct (rectify) and / or opt-out of all or specific processing of your Personal Information (restriction of processing) by sending your written inquiry, request or complaint to the address or email address below.

Chief Privacy Officer

Matt Toohey

U.S. Bank National Association

200 S. 6th Steet

Minneapolis, Minnesota 55402 (United States)

or [privacyincidents@usbank.com](mailto:privacyincidents@usbank.com).

Upon receipt of your request and your identification document (or other information we may require) we will investigate the matter and respond to you within a reasonable time.

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## **10. Availability of Agreement**

This Agreement is also available on our website at [usbank.com](http://usbank.com).

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## **11. Additional Rights and Modifications**

This Agreement does not apply to your relationship with other financial service providers except as expressly set out herein and you may have additional rights with those financial service providers. You acknowledge that we may amend this Agreement from time to time to take into consideration changes in legislation or other issues that may arise. We will post the revised Agreement on our website or we may also send it to you by mail. We may notify you of any changes to this Agreement by posting a notice of the amendment on our website or by



including a notice with your monthly statement. Your continued use of the Service following notice of such change means that you agree to and accept the new terms and conditions of the Agreement as amended. If you do not agree with any of the changes made or with the new terms of the Agreement, you must immediately stop using the Service and notify us that you are terminating your usage of the Service with us.

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## **12. Want to Learn More?**

If you would like to learn more about how we at U.S. Bank use Personal Information about customers to deliver better client services and products more efficiently, please contact our customer service representatives at the address set forth in Section 9 above.

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## **13. About U.S. Bank**

Please visit [usbank.com](http://usbank.com) for up-to-date company name, address and CEO information.

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