

CAPITAL BANK, N.A. ONLINE PRIVACY NOTICE

This U.S. Online Privacy Notice (Notice) applies to this Capital Bank, N.A. online interface (i.e., website or mobile application) or online site interface that links to this Notice (individually, a Site, or collectively, Sites). This Notice describes how the Sites may collect, use, and share information from or about you. It also explains how information may be collected and used for advertising purposes. By using this Site, you agree to the terms and conditions of this Notice.

Capital Bank provides other online interfaces not covered by this Notice. If you visit or access your accounts from one of those sites, please review the online privacy practices of that site to understand how your online information may be collected, used, and shared.

For U.S. visitors to this Site, we will use and share any information that we collect from or about you in keeping with the [Capital Bank Notice of Privacy Policy](#).

Collection and Use of Personal Information

What We Collect Online

Personal Information means personally identifiable information such as information you provide via forms, surveys, applications, or other online fields including name, postal or email addresses, telephone, facsimile, or mobile numbers, or account numbers or any other information you provide when completing on online applications.

How We Use Personal Information

We may use Personal Information:

- To respond to your inquiries and fulfill your requests;
- To inform you about important information regarding the Site; products or services you apply for or may be interested in applying for, or in which you are already enrolled; changes to terms, conditions, policies, and/or other administrative information;
- To deliver marketing communications that we believe may be of interest to you, including, ads or offers tailored to you;
- To personalize your Site experience;
- To allow you to apply for products or services (e.g., to prequalify for a mortgage, apply for a credit card, to open an account, or to access other financial products) and evaluate your eligibility for such products or services;
- To verify your identity and/or location in order to allow access to your accounts, conduct online transactions, and to maintain measures aimed at preventing fraud and protecting the security of your account and personal information;
- To allow you to participate in surveys and other forms of market research, promotions, and to administer these activities. Some of these activities have additional rules which may contain additional information about how Personal Information is used and shared;

Revision Date: December 22, 2016

- Collected through our social media pages and other online interactions with you to assist in verifying your identity and account status. We may combine this online information with information collected from offline sources or information we already have
- For business purposes, including data analysis, audits, developing and improving products and services, enhancing the Site, identifying usage trends, and determining the effectiveness of promotional campaigns;
- For risk control, for fraud detection and prevention, to comply with laws and regulations, and to comply with other legal process and law enforcement requirements;

How Personal Information is Shared

Please see the [Capital Bank Notice of Privacy Policy](#) for information on how Personal Information may be shared and how you may be able to limit certain types of sharing.

Other Information We Collect Online

Other Information is any information other than Personal Information that does not reveal your specific identity or does not directly relate to an individual, such as browser information, information collected through cookies, pixel tags and other technologies, demographic information, other information provided by you such as your date of birth or household income, and aggregated and de-identified data.

Collection and Use of Other Information

We and our third-party service providers may collect and use Other Information in a variety of ways, including:

From your browser or device: Certain information is collected by most browsers and/or through your device, such as your IP address, device type, type of user interface (Flash, HTML, etc for dynamic display), and internet browser type and version. We use this information to ensure the Sites function properly, information is displayed to you properly, or for fraud detection and prevention, and for security purposes.

Using cookies: Cookies are pieces of information stored directly on the device you are using. Cookies we use do not contain or capture unencrypted Personal information. Cookies allow us to collect information such as browser type, time spent on the Site, pages visited, and your relationship with us. We may use this information for security purposes, to facilitate navigation, to display information more effectively, to personalize your experience while engaging with us, and to recognize your device to allow your use of our online products and services. We collect statistical information about the usage of the Site in order to continually improve the design and functionality, to monitor responses to our advertisements and content, to understand how account holders and visitors use the Site and assist us with resolving questions regarding the Site. We also utilize cookies for advertising purposes as detailed below in the **Advertising** section.

You can refuse to accept these cookies and most devices and browsers offer their own privacy settings for cookies. You will need to manage your cookie settings for each device and browser

Revision Date: December 22, 2016

you use. However, if you do not accept these cookies, you may experience some inconvenience in your use of the Site and some online products and services.

Other technologies including pixel tags, web beacons, and clear GIFs:

These may be used in connection with some Site pages, downloadable mobile applications to measure the effectiveness of our communications, the success of our marketing campaigns, to compile statistics about usage and response rates, to personalize/tailor your experience while engaging with us online and offline, for fraud detection and prevention, for security purposes, for advertising. More information regarding our use of other technologies is below in the **Advertising** section.

Flash Objects: For our pages running Flash content (demos and tutorials with moving content), we use Flash objects to determine your browser type for you to view the content. Deleting cookies does not delete Flash objects. If you choose to disable Flash objects from our site, then you may not be able to access and use parts of the Site or benefit from the information and services offered.

IP Address: Your IP Address is a number that is automatically assigned by your Internet Service Provider (ISP) to the device you are using. An IP Address is identified and logged automatically in our server log files whenever a user visits the Site, along with the time of the visit, and the page(s) visited. Collecting IP Addresses is standard practice on the internet and is done automatically by many web sites. We use IP Addresses for purposes such as calculating Site usage levels, helping diagnose server problems, to possibly personalize your experience while engaging with us online, for compliance and security purposes, for advertising, and for administering the Site. See the **Advertising** section below for more information.

Aggregated and De-identified Data: Aggregated and de-identified Data is data that we may create or compile from various sources, including but not limited to accounts and transactions. This information, which does not identify individual account holders, may be used for our business purposes, which may include offering products or services, research, marketing or analyzing market trends, and other purposes consistent with applicable laws.

Additional Information

Third party widgets – We may allow certain widgets (e.g., social share buttons) on our Sites that enable users to easily share information on another platform, such as a social media platform. The third parties that own these widgets may have access to information about your browsing on pages of our Sites where these widgets are placed. You may wish to review information at the third party site, such as social media platforms where you have an account, to determine how these third parties collect and treat such information. Also, see **Linking to Other Sites** and **Social Media Sites** below.

Advertising

Capital Bank, N.A. advertises online (e.g., pages within our Sites and mobile apps through bank managed social media presences, and on other sites and mobile apps not affiliated with Capital

Revision Date: December 22, 2016

Bank) and offline (e.g. in banking centers and direct marketing). In order to understand how advertising performs, we may collect certain information on our Sites and other sites and mobile apps through our advertising service providers using cookies, IP addresses, and other technologies. The collected information may include the number of page visits, pages viewed on our Sites, search engine referrals, browsing activities over time and across other sites following your visit to one of our Sites or apps, and responses to advertisements and promotions on the Sites and on sites and apps where we advertise.

Capital Bank, N.A. uses information described in this Notice to help advertise our products and services, including prescreened offers of credit, in a variety of ways. We use information to:

- Present tailored ads, to you which may include:
 - Banner ads and splash ads that appear as visit our Sites within mobile banking and other mobility applications;
 - E-mail, postal mail, and telemarketing, and;
 - On other sites and mobile apps not affiliated with Capital Bank, N.A.
- Analyze the effectiveness of our ads; and
- Determine whether you might be interested in new products or services.

Do Not Call Policy:

This Privacy Policy constitutes Capital Bank N.A.s Do No Call Policy under the Telephone Consumer Protection Act for all consumers. Capital Bank N.A. maintains an internal Do Not Call preference list. Do Not Call requests will be honored within 30 days and will be effective for at least five years from the date of request. No telemarketing calls will be made to residential or cellular phone numbers that appear on the Capital Bank N.A. Do Not Call list.

Tailoring of ads:

Relationship Based Advertising

In order to help make our advertising informative and useful, we may use information about your relationship with us (such as types of accounts, transactional information, or the state in which you bank) to help determine which advertisements or offers to present to you.

Online Behavioral Advertising

We, or our advertising service providers, may use certain information about your activities on our Sites, such as pages visited and search keywords to help determine which of our advertisements or offers may be of interest to you. We limit access and collection of information for specific purposes by advertising service providers. We may use this online information for online and offline advertising.

Advertising on Third Party Sites and Mobile Apps

Capital Bank, N.A. contracts with advertising companies to promote our products and services on sites and mobile apps not affiliated with us. We may use Aggregated and De-identified Data and information provided by you to these third party sites and mobile apps to select which of our advertisements or offers may appeal to you, display them to you, and monitor your responses. Third Party sites and mobile apps are not subject to Capital Bank N. A. Privacy Notices. Please

Revision Date: December 22, 2016

visit the individual sites and mobile apps for additional information on their data and privacy practices and opt out policies.

Online Behavioral Advertising on Third Party and Mobile Apps

Some of our tailored ads are online behavioral advertising and may be served using data collected by third party providers. Ads served on our behalf by these companies do not contain unencrypted Personal Information and we limit the use of information by companies that serve our ads. To learn more about this practice and your choices in connection with it, see the section **Advertising Choices** below.

Advertising Choices

You may set your choices for advertising in the following ways:

Online Behavioral Advertising: If you prefer we not use information based on online Site behavior to provide online and offline tailored content and advertising, you may opt out of online behavioral advertising.

Important Reminder

In order for online behavioral advertising opt outs from our Sites and on other sites to work on your device, your browser must be set to accept cookies. If you delete cookies, buy a new device, access our Site or other sites from a different device, login under a different screen name, or change web browsers, you will need to opt-out again. If your browser has scripting disabled, you do not need to opt out, as online behavioral advertising technology does not work when scripting is disabled. Please check your browser's security settings to validate whether scripting is active or disabled.

Mobile Applications

Capital Bank's Mobile applications for accounts ("Applications") allows you to access your account balances, make deposits, transfers, and pay bills on your mobile device. This Notice applies to any Personal Information or Other Information that we may collect through the Applications.

Linking to Other Sites

We may provide links to third party sites, such as credit bureaus, service providers, or merchants. If you follow links to sites not affiliated or controlled by Capital Bank, N.A. you should review their privacy and security policies and other terms and conditions, as they may be different from our Sites. Capital Bank is not responsible for the privacy or security of these sites, including the accuracy, completeness, or reliability of their information.

Social Media Sites

Capital Bank, N.A. provides experiences on social media platforms including, but not limited to, Facebook®, Twitter®, YouTube® and LinkedIn® that enable online sharing and collaboration among users who have registered to use them. Any content you post on Capital Bank managed social media pages, including pictures, information, opinions, or any personal Information that you make available to other participants on these social platforms, is subject to any terms of use and privacy policies of those respective platforms. Please refer to them to understand your rights and obligations with regard to such content. In addition, when visiting any Capital Bank social

Revision Date: December 22, 2016

media pages, you are also subject to Capital Bank's Privacy Notices, Social Media User Terms, and Community Guidelines.

Security

To protect Personal Information from unauthorized access and use, we use security measures that comply with applicable federal and state laws. These measures may include device safeguards and secured files and buildings as well as oversight of our third party service providers to ensure information remains confidential and secure. Please visit <https://capitalbankmd.com/security-center/> for additional information.

Using Other Aggregation Websites

Other companies offer aggregation websites and services that allow you to consolidate your financial account information from different sources (such as your accounts with us or with other financial institutions) so that you can view all of your account information at one online location. To do this, an aggregation provider may request access to Personal Information, such as financial information, usernames and passwords. You should use caution and ensure that the aggregator company has appropriate policies and practices to protect the privacy and security of any information you provide or to which they are gaining access. We are not responsible for the use or disclosure of any Personal Information accessed by any company or person to whom you provide your Site username and password.

If you provide your Site username, password, or other information about your Capital Bank accounts to an aggregation website, we will consider that you have authorized all transactions or actions initiated by the aggregation website using the access information you provided, whether or not you were aware of a specific transaction or action. If you decide to revoke the authority you have given to an aggregation website, we strongly recommend that you change your password for the Site to ensure that the aggregation website cannot continue to access your account.

Keeping Information Accurate

It is very important you keep your account information accurate and up-to-date. If your account information is incomplete, inaccurate, or not current, please speak to a customer representative at a banking center, use the Contact Us option on our Site, or call or write to us at the telephone number or appropriate address for changes listed on your account statements or other account materials.

Protecting Children's Privacy Online

This Site is not directed to individuals under the age of thirteen (13), and we request that such persons not provide Personal Information through the Site. We do not knowingly collect information from children under thirteen (13) without parental consent. Visit the Federal Trade commission website for more information about the Children's Online Privacy Protection Act (COPPA).

Protecting Individual Health Information

Revision Date: December 22, 2016

To the extent that we receive, maintain, or process an individual's protected health information, Capital Bank, N.A. may disclose that information as authorized by and in accordance with applicable federal and/or state law.

Updates to This Privacy Notice

This Online Privacy Notice is subject to change. You should review it periodically. Whenever we make changes to the Online Privacy Notice, we revise the "Last Updated" date at the top of this Notice. Any changes to this Notice will become effective when we post the revised Notice on the Site. Your use of the Site following such changes means that you accept the revised Notice.

Capital Bank, N.A.

Member FDIC.

Equal Housing Lender

