

Metropolitan Commercial Bank Online Privacy Policy

We at Metropolitan Commercial Bank ("MCB," "we," "us," or "our") have created this Online Privacy Policy ("policy") because we know that you care about how information you provide to us is used and shared. This Online Privacy Policy relates to the information collection and use practices of MCB in connection with our website located at <https://www.mcbankny.com> (the "Website").

Acceptance of Terms

By visiting our Website, you are agreeing to the terms of this Online Privacy Policy.

The Information We Collect

In the course of operating the Website, MCB may collect the following types of information.

1. Personal Information

When you request information about our products and services or sign up or submit a request to receive information from us, you may be required to provide us with personal information about yourself, such as your name, company, title, address, e-mail address, and phone number. We do not collect any personal information from you when you access and use the Website for informational purposes unless you provide such information voluntarily. We do not recommend that you provide any personal information to us through the Website except for use of our online services as described immediately below. All information we collect and/or receive under this section is collectively called "Personal Information."

When you use our online services through our Website, such as online banking or mobile banking, we and third party service providers acting on our behalf may request Personal Information from you solely for the purpose of providing the service to you. This personal information is, in general, limited to your company ID, user ID, facility ID, login, username, and/or password to access such online services.

2. Other Information

In addition to the Personal Information, we may collect additional information (collectively, the "Other Information"). Such Other Information may include:

- a. *From Your Activity.* Information that we or our technology providers may automatically collect when you visit, access, and/or use the Website, such as your IP addresses, Internet service provider, browser type and language, referring and exit pages and URLs, date and time, amount of time spent on particular pages, what sections of the Website you visit, number of links you click while on the Website, search terms, and operating system.
- b. *From Cookies or Other Tracking Mechanisms.* Information that we may collect using "cookie" technology or other tracking mechanisms. Cookies are small files of data that a website stores on your device so that your device will "remember" information about your visit. We may use both session cookies (which expire once you close your web browser) and persistent cookies (which stay on your device until you delete them) to help us collect Other Information and to enhance your experience using the Website. If you do not want us to place a cookie on your device, you may be able to turn that feature off on your device. Please consult your Internet browser's documentation for information on how to do this and how to delete persistent cookies. However, if you decide not to accept cookies from us, the Website may not function properly. We may use tracking data to help us tailor and optimize our website and potentially provide you relevant MCB advertisements outside of our Website.

How We Use and Share the Information

We may use the Personal Information and the Other Information (collectively, the "Information") to administer our marketing programs; to improve our Website and services to you; to request your feedback; and to inform you about our products and services.

We may also use and/or share Information as described below.

- We may employ other companies and individuals to perform functions on our behalf. Examples may include providing technical assistance, customer service, and marketing assistance. These other companies will have access to the Information only as necessary to perform their functions and to the extent permitted by law.
- In an ongoing effort to better understand visitors to our Website and our services, we may analyze the Other Information in aggregate form in order to operate, maintain, manage, and improve the Website and/or our services. This aggregate information does not identify you personally. We may share this aggregate data with our affiliates, agents, and business partners. We may also disclose aggregated user statistics in order to describe our products and services to current and prospective business partners and to other third parties for other lawful purposes.
- In order to provide our services and administer our marketing programs, we may share your Personal Information and Other Information with our third-party promotional and marketing partners, including, without limitation, businesses participating in our various programs.
- As we develop our businesses, we may sell or buy businesses or assets. In the event of a corporate sale, merger, reorganization, sale of assets, dissolution, or similar event, the Information may be part of the transferred assets.
- We do not sell your Personal Information to third parties. We may share your Personal Information with our (i) affiliates, parent companies, or other companies under common control with us and (ii) service providers that have agreed to confidentiality restrictions and use any Personal Information they collect on our behalf solely for the purpose of providing the contracted service to us, to confirm the status of your transactions or accounts for a legitimate third party (such as a credit bureau, a biller, etc.), or to investigate an error or potential fraud.
- To the extent permitted by law, we may also disclose the Information: (i) when required by law, court order, or other government or law enforcement authority or regulatory agency; or (ii) whenever we believe that disclosing such Information is necessary or advisable, for example, to protect the rights, property, or safety of MCB or others.

Accessing and Modifying Information and Communication Preferences

You may manage your receipt of marketing and communications via e-mail by clicking on the "unsubscribe" link located on the bottom of any MCB marketing e-mail, as required by law. We will use commercially reasonable efforts to process such requests in a timely manner. You should be aware, however, that it is not always possible to completely remove or modify information in our subscription databases.

Protection of Information

MCB will treat as confidential any information it collects. MCB maintains an Information Security Program that provides guiding policies and procedures that promote practices and methodologies that protect the security and confidentiality of this information by limiting employee access to and use of this information. We take commercially reasonable steps to protect the Information from loss, misuse, and unauthorized access, disclosure, alteration, or destruction. Please understand, however, that no security system is impenetrable. We cannot guarantee that the Information that you supply will not be intercepted while

being transmitted over the Internet. In particular, e-mail sent to or from the Website may not be secure, and you should therefore take special care in deciding what information you send to us via e-mail. For more information regarding this policy, call us at 800-852-7632.

Links to Third Party Sites and Third Party Sites

The Website may contain links to third-party websites. MCB has no control over the privacy practices or the content of these websites. As such, we are not responsible for the content or the privacy policies of those third-party websites. You should check the applicable third-party privacy policy and terms of use when visiting any other websites.

MCB's Investor Relations website located at <https://investors.mcbankny.com/corporate-profile> is hosted and operated by third party provider Q4 Inc. on behalf of MCB. Please refer to Q4 Inc.'s online privacy policy located at <https://www.q4inc.com/privacy-center> for more information on how your information is collected and used when you access MCB's Investor Relations website.

When you visit pages that are "owned" by MCB through social media platforms, such as Facebook, LinkedIn, Twitter, etc., you understand that you are subject to the privacy policy of the social media platform and MCB has no control over the privacy practices, the content, or the information collected by these social media platform websites. MCB advises you to be cautious of pages on social media platforms appearing to be owned or operated by MCB but are not.

Children's Privacy

From our web pages, we do not knowingly collect personal information from individuals under the age of 13 without obtaining verifiable consent from their parents.

For more information about the *Children's Online Privacy Protection Act* (COPPA), visit the FTC website: www.ftc.gov.

Changes to This Online Privacy Policy

This Online Privacy Policy is effective as of the date set forth below. We may change this policy from time to time. By accessing and/or using the Website after we make any such changes to this policy, you are deemed to have accepted such changes. Please be aware that, to the extent permitted by applicable law, our use of the Information is governed by the Online Privacy Policy in effect at the time we collect the Information. Please refer back to this Online Privacy Policy on a regular basis.

Other Related MCB Privacy Policies

In addition to provisions of this *Online Privacy Policy*, please also go to the following links to review MCB's overall consumer *Privacy Policy* at <https://www.mcbankny.com/Policies/Consumer%20Privacy%20Notice.pdf> and MCB's *California Consumer Privacy Act Privacy Policy* for California Residents at <https://www.mcbankny.com/Policies/MCB%20California%20Consumer%20Privacy%20Act%20Privacy%20Notice> for additional information and rights.

Effective Date: April 27, 2021