

## **Digital Asset and Digital Asset Futures Disclosures and Disclaimers**

### **General**

- The information provided is for general education and information purposes only. No statement provided should be construed as a recommendation to buy or sell a security, future, financial instrument, investment fund, or other investment product (collectively, a “financial product”), or to provide investment advice.

### **Licenses and Registrations**

- Digital asset futures are offered through Cboe Digital Exchange, LLC (“Cboe Digital Exchange”) and Cboe Clear Digital, LLC (“Cboe Clear Digital”) (collectively, “Cboe Digital”), which are both Cboe companies. Cboe Digital Exchange is registered with the Commodity Futures Trading Commission (“CFTC”) as a Designated Contract Market (“DCM”) and Cboe Clear Digital is registered with the CFTC as a Derivatives Clearing Organization (“DCO”).
- Digital asset spot markets, like Cboe Digital, are not licensed, approved, registered, or regulated by the CFTC, and transactions on the Cboe Digital spot market are not subject to CFTC rules, regulations, or regulatory oversight.
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- The Cboe Digital spot market has or is in the process of obtaining a money-transmitter license or similar license application with various states.

### **Futures**

- Futures trading is not suitable for all market participants and involves the risk of loss, which can be substantial and can exceed the amount of money deposited for a futures position. You should, therefore, carefully consider whether futures trading is suitable for you in light of your circumstances and financial resources. You should put at risk only funds that you can afford to lose without affecting your lifestyle.
- For additional information regarding the risks associated with trading futures, see the [Risk Disclosure Statement set forth in Appendix A to CFTC Regulation 1.55\(c\)](#).

### **Digital Assets**

- Digital asset trading is not suitable for all market participants and involves the risk of loss, which can equal a total loss of funds you deposit for the purposes of trading digital assets. You should, therefore, carefully consider whether digital asset trading is suitable for you in light of your circumstances and financial resources. You should put at risk only funds that you can afford to lose without affecting your lifestyle.
- The volatility and unpredictability of the price of digital assets relative to fiat currency may result in significant loss over a short period of time. Certain digital assets have experienced daily price volatility of more than 20%.
- Digital assets are not legal tender, are not backed by the U.S. government, and accounts and value balances are not subject to Federal Deposit Insurance Corporation or Securities Investor Protection Corporation protections.
- Legislative and regulatory changes or actions at the state, federal, or international level may adversely affect the use, transfer, exchange, and value of digital assets.

- Transactions in digital assets may be irreversible, and, accordingly, losses due to fraudulent or accidental transactions may not be recoverable.
- Some digital asset transactions shall be deemed to be made when recorded on a public ledger, which is not necessarily the date or time that the market participant initiates the transaction.
- The value of digital assets may be derived from the continued willingness of market participants to exchange fiat currency for digital assets, which may result in the potential for permanent and total loss of value of a particular digital asset should the market for that digital asset diminishes or disappear.
- There is no assurance that a person who accepts a digital asset as payment today will continue to do so in the future.
- The nature of digital assets may lead to an increased risk of fraud or a cybersecurity event. A cybersecurity event could result in a substantial, immediate, and irreversible loss for market participants that trade digital assets. Even a minor cybersecurity event in a digital asset is likely to result in downward price pressure on that product and potentially other digital assets.
- The ability to participate in forks could also have implications. For example, if you hold digital asset positions through Cboe Digital you may be adversely impacted if Cboe Digital does not participate in a fork that creates a new digital asset.
- The nature of digital assets means that any technological difficulties experienced by Cboe Digital may prevent the access or use of a market participant's digital assets.
- Any bond or trust account maintained by Cboe Digital for the benefit of its market participants may not be sufficient to cover all losses incurred by market participants.

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- To help the government fight the funding of terrorism and money laundering, Cboe Digital must obtain, verify and record information that identifies each person who opens and maintains an account. When you establish an account, we will ask for your name, address, date of birth, and other information to allow us to identify you. We may also ask for a copy of government issued identification, such as a driver's license, passport, or other identification. Cboe Digital takes seriously its commitment to implement a robust anti-money laundering program, and Cboe Digital reserves the right to require you to provide us with additional information and/or require you to undergo a background check prior to being authorized to use or access Cboe Digital systems, or at any point thereafter, in accordance with any applicable law and regulation.
- When you establish standard settlement instructions as to fiat accounts or digital asset wallets you may not be able to fund or withdraw assets from such accounts or digital wallets while Cboe Digital conducts an investigation of the origin of such accounts or digital wallets. You agree, represent, and warrant that all funds, whether fiat or digital, that are now or in the future in your account, submitted or otherwise exchanged on or through Cboe Digital, are not the direct or indirect proceeds of any criminal, fraudulent, or terrorist activity. Cboe Digital reserves the right to investigate the source of any funds, fiat or digital, in your account and determine, in our sole discretion, whether to accept or reject or otherwise dispose of such funds in accordance with any applicable law and regulation, which may include sending such funds to a proper governmental authority.
- Under relevant economic sanctions programs, including the U.S. Department of Treasury's Office of Foreign Assets Control ("OFAC"), Cboe Digital is prohibited from providing services or otherwise entering into relationships with certain individuals and institutions. If Cboe Digital is required to block funds associated with your account in accordance with a sanctions program, or other similar government sanctions programs, Cboe Digital may be required to, among other things, take one of the following actions: (i) suspend your account; (ii) terminate your account; (iii) return funds to the

destination of their origin or to an account specified by relevant authorities; or (iv) require you withdraw funds from your account within a certain period of time. Cboe Digital is not responsible for any losses, whether direct or indirect, that you may incur as a result of our complying with any applicable law and regulations, the direction of any governmental or regulatory authority, or any legally binding order.

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### **General**

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