

## CoinDesk Indices Update on Binance.US

**June 5, 2023** – CoinDesk Indices is aware of the recent <u>SEC allegations</u> impacting Binance and Binance.US.

Until further notice, CoinDesk Indices will not make any modifications based on these SEC allegations but will closely monitor the situation and provide updates as necessary.

## **Additional Details:**

Potential Impact – Eligible Exchange

CoinDesk Indices currently uses Binance.US as a contributing exchange for some of its Single Digital Asset Price Indices and Reference Rates. In turn, our multi-asset indices utilize those Reference Rates as constituents. As part of its periodic review of exchanges, CoinDesk Indices will review the allegations to determine if Binance.US continues to meet the Eligible Exchange criteria as defined in CoinDesk's Digital Asset Policy Methodology.

Potential Impact – Security Designations

The SEC allegations name specific digital asset tokens as securities including BNB, BUSD, SOL, ADA, MATIC, FIL, ATOM, SAND, MANA, ALGO, AXS and COTI. Per CoinDesk's Digital Asset Policy Methodology:

Digital assets that are securities, as defined by the federal securities laws, or under such consideration by any U.S. government oversight agency, are not eligible for inclusion in a CoinDesk index with the exception of the CoinDesk Market Index family.

In the event a current constituent is designated as a security based on the above definition, it will generally be removed from the impacted index at a date to be determined by the Index Committee. If the impacted index is a Single Digital Asset Price Index, the impacted index will be reviewed by the Index Committee for potential termination.

Given the number and size of the digital assets in the allegation and the impact on its indices, CoinDesk Indices will not remove these assets at this time and will continue to monitor the situation and SEC communications, including US-based trading activity.

CoinDesk Indices welcomes user feedback on this approach and will continue to provide updates.

Please reach out to <u>IndexServices@coindesk-indices.com</u> for questions or comments.

Regards,

CoinDesk Indices





## Disclaimer

CoinDesk Indices, Inc. ("CDI") administers various reference rates and indices ("Indices") for use by financial institutions and other users. CDI does not guarantee the timeliness, accuracy or completeness of any data or information relating to the Indices. CDI makes no warranty, express or implied, as to the Indices or any data or values relating thereto or results to be obtained therefrom, and expressly disclaims all warranties of merchantability and fitness for a particular purpose with respect thereto. It is not possible to invest directly in an Index. Back-tested performance is not actual performance. Past performance is not an indication of future results. To the maximum extent allowed by law, CDI, its licensors, and its and their respective employees, contractors, agents, suppliers and vendors shall have no liability or responsibility whatsoever for any injury or damages - whether direct, indirect, consequential, incidental, punitive or otherwise - arising in connection with the Indices or any data or values relating thereto - whether arising from their negligence or otherwise. This document constitutes the provision of factual information, rather than financial product advice. Nothing in the Indices shall constitute or be construed as an offering of financial instruments or as investment advice or investment recommendations (i.e., recommendations as to whether or not to "buy", "sell", "hold", or to enter or not to enter into any other transaction involving any specific interest or interests) by CDI or a recommendation as to an investment or other strategy by CDI. Data and other information available via the Indices should not be considered as information sufficient upon which to base an investment decision. All information provided by the Indices is impersonal and not tailored to the needs of any person, entity or group of persons. CDI does not express an opinion on the future or expected value of any asset or other interest and do not explicitly or implicitly recommend or suggest an investment strategy of any kind. Customers should consider obtaining independent advice before making any financial decisions. All names, logos, and other trademarks used to identify CDI's indices are owned by CDI and shall not be used in any manner without the prior written permission of CDI. This document and its contents may not be forwarded or redistributed without the prior consent of CDI. © 2023 CoinDesk Indices, Inc. All rights reserved.

