

# PRIVACY POLICY

Revised February 25, 2022

This Privacy Policy (“**Policy**”) describes how X Gaming Lab FZ-LLC (“**X Gaming Lab**”, “**we**”) processes personal data. By expressing your consent in the forms presented in our Games, or by using our Website (collectively “**Services**”), you or your representative (“**User**”, “**you**”) accept the Policy.

## Acceptance of the Policy with respect to minors

To accept the Policy, you must reach the age of sufficient legal capacity under applicable legislation (the laws of the country of your residence) (particularly, for residents of the Russian Federation it is 18 years, for residents of EU – 13 to 16 years, depending on the country of your residence within EU, in the USA

– 13 to 16 years, depending on the state of residence within the USA).

If you are under the age of legal capacity, please ask your parents or other legal representatives for assistance before using our Games. By continuing to use our Games, you certify that you have either reached the age of legal capacity to accept the Policy, or your parent/legal representative has reviewed and agreed to the terms of the Policy on your behalf.

If you, as a parent or other legal representative, learn that your child has accepted the Policy without your consent, please contact us (for example, via e-mail at [ceo@x-gaming-lab.com](mailto:ceo@x-gaming-lab.com) or other means indicated on the Website). We will promptly erase corresponding data and inform our partners about it.

We recommend that you monitor your children’s game sessions and web activity, as well as study parental control options that can be provided by us and/or our partners.

## Applicable legislation

X Gaming Lab treats collection and use of its players’ and Service users’ data responsibly. Considering the international nature of distribution of its Services, the Policy was developed in such a manner as to comply with the requirements of Russian law, including Federal Law No. 152-FZ dated 27.07.2006 “On personal data” (hereinafter “**152-FZ**”) (as the country of incorporation of X Gaming Lab), General Data Protection Regulation (European Union) 2016/679 (hereinafter “**GDPR**”), as well as with the requirements of the State of California (USA) and the US federal laws, as those setting a high standard for protection and responsible processing of personal data. In the Policy we also take into account Privacy Shield framework agreements, to which Switzerland and the European Union are parties.

We confirm that our internal processes are aligned with the Policy.

## Application of the Policy

This Policy applies to all X Gaming Lab Games worldwide on all Platforms without limitation. Please, note, that privacy policies of Platforms a Game was downloaded from by a User may establish their own rules for users’ personal data processing when using the corresponding Platform. The Platform is independently responsible for such processes.

## Amendment of the Policy

The Policy available at [https://x-gaming-lab.com/uploads/userfiles/Privacy\\_Policy\\_ENG.pdf](https://x-gaming-lab.com/uploads/userfiles/Privacy_Policy_ENG.pdf) is presented in the most up-to-date version. Over time, X Gaming Lab may unilaterally amend the Policy, including to comply with the latest changes in the applicable law and jurisprudence. All changes come into force from the moment they are published on this page, unless a different period is indicated in

the text of the amendments. X Gaming Lab will make every effort to organize additional ways to notify Users of amendments to the Policy, but we ask you to regularly check for the latest version on the Website yourself.

## **DEFINITIONS:**

- “**Contact data**” is the data that we collect when a User contacts our technical support service of X Gaming Lab in order to be able to contact User as part of user support provision, as well as when using the X Gaming Lab ID function. Such data includes User data determined according to means User exploits in order to contact us with the aim to receive user support: email address (including when using the X Gaming Lab ID function), phone number and messenger login (username).
- “**Cookies**” are small fragments of data sent by our web server and stored on User's Device. Cookies are stored when you visit the Website, and this allows us to make it work effectively: Cookies allow us to save your selected settings (e.g., language) and analyse Website traffic. You have the right to refuse Cookies that you do not want to be used in the Cookie-banner on the Website, however, please, note that you cannot disable Cookies necessary for functionality of the Website.
- “**Device**” is a device from which you use our Games and/or Website. Devices include mobile devices, tablets, personal computers, consoles, etc.
- “**Device information**” is technical information about your Device. Device information includes browser data and types of browser plug-ins, operating system and operating system version, information about the type and manufacturer of a Device, language set for a Device, version of Games installed on a Device used.
- “**Financial information**” is information about purchases made by a User, including purchase of In-Game Objects. Such information includes transaction ID (financial transaction number, including purchase, recovery, return), transaction amount, billing address, transaction date, transaction history (time of initiation of processing and completion time), purchase history. Please, note that when you make in-game purchases in Games, we do not collect and do not have access to your name, contact details and payment information. This information is collected and stored by the Platform or payment system operator of the Platform which you use to launch Games.
- **Game** is a game developed and published by X Gaming Lab, regardless of the Platform on which it is distributed or the Devices for which it is developed.
- “**IDs**” are technical identifiers of a User assigned to them or their Device. Such identifiers include User ID assigned by X Gaming Lab; Platform ID; Device ID assigned by X Gaming Lab, advertising identifier of a User's Device (IDFA, GAID, etc.).
- “**License agreement**” is an agreement between us and a User, on the basis of which User is granted access to our Games and other Services. User enters into a License agreement with us by accepting its terms upon the first launch of a Game or access of the Website. The License agreement is posted here: [https://x-gaming-lab.com/uploads/userfiles/EULA\\_ENG.pdf](https://x-gaming-lab.com/uploads/userfiles/EULA_ENG.pdf).
- “**Location information**” is general information about User's location, collected when they run the Game. X Gaming Lab does not collect accurate information about User's location. However, we may collect Device's IP address, which can be used to determine the general location of a User (User's country of residence).

- **Platform** is an online store through which the Game is provided to the User. The Platforms include, in particular:
  - o Stores for mobile versions of the Game: Google Play, App Store, and Huawei App Gallery;
  - o Store for PC versions of the Game: Steam;
  - o Stores for console versions of the Game: PlayStation Store, Nintendo eShop, Xbox Games Store.

This list is not complete and can be changed from time to time.

- **“User information”** is information that a User independently creates (publishes and presents) in a Game. User information includes User chat history (text messages); User avatar (including his real-life photo); nickname in a Game; list of “friends” in a Game; data about User's gaming experience, including statistics and User progress within a Game. User information is provided by a User voluntarily and becomes available to other users. X Gaming Lab is not liable for composition and fact of dissemination of personal information that a User voluntarily and on his own initiative discloses to third parties. We also do not assume that a User will post his real-life photo as her avatar.
- **“Website”** is a website available at <https://x-gaming-lab.com/>.

## **ABOUT US**

X Gaming Lab FZ-LLC

Legal address: DIC-Bidg 17-258, Al Safouh Second, Al Safouh Second, Dubai,

Dubai

E-mail: [ceo@x-gaming-lab.com](mailto:ceo@x-gaming-lab.com)

## **WHAT TYPES OF INFORMATION DO WE COLLECT AND FOR WHAT PURPOSES?**

### **Why do we process your personal data?**

Collection and processing of Users' personal data is essential for our ability to support Games and Website, as well as their functionality: without it we cannot provide user support, display advertisements so that some of our Games and their elements remain free for you, restore progress in Games when switching Devices, analyze statistics of our Games to improve your user experience, correct errors in Games, determine the need for changes in our commercial decisions regarding Games.

We do not use automated processing of personal data to make decisions that entail legal consequences for a subject of personal data, or otherwise affect her rights and legitimate interests.

### **Legal grounds to process your personal data.**

In order to process User data, we obtain your consent to processing of personal data in accordance with the Policy. Without obtaining such consent, unfortunately, we are forced to terminate access to the Services or significantly limit functionality of the Services for you. At the same time, you always have an opportunity to withdraw your consent or request erasure of any information collected by us, even if you have given us initial consent to processing of your data (please, read the section “What rights do you have with respect to personal data?” to learn how to exercise your rights).

Collectively, we rely on the following grounds for data processing:

1. your explicit informed consent with the Policy to processing, expressed through consent forms within the Services;
2. the need to collect data in order for us to fulfill our obligations under the contract concluded between you and X Gaming Lab (License agreement);
3. our legitimate interest, including:
  - market research where we offer our services, analysis of statistics;
  - exercise and protection of our rights and rights of third parties;
  - marketing and promotion of our Services;
  - ensuring security and fraud prevention in the Services.

### What information do we collect and process?

We collect only the following categories of personal data:

- User information;
- Contact data;
- IDs;
- Financial information;
- Location information;
- Device information;
- Cookies.

We do not collect any other categories of data and make every effort to exclude accidental collection of additional data.

The following table provides a list of data collected, as well as the reasons and purposes for its collection.

Category	Legal basis	Purpose(s)
<b>When you use Games</b>		
User information	<ul style="list-style-type: none"> <li>- Consent</li> <li>- Agreement (conclusion of the License agreement)</li> <li>- Our legitimate interest in market research we offer our Services on, statistics analysis.</li> </ul>	<ul style="list-style-type: none"> <li>- Ability to “customize” certain sections of a Game for a User (ability to use an avatar, nickname)</li> <li>- Ability to save Game progress and play a Game on other Devices</li> <li>- Provision of user support</li> <li>- Statistics analysis of the use of our Services.</li> </ul>
IDs	<ul style="list-style-type: none"> <li>- Consent</li> <li>- Our legitimate interest in market research we offer our Services on, statistics analysis.</li> </ul>	<ul style="list-style-type: none"> <li>- Providing Users with access to Games</li> <li>- Statistics analysis of the use of our Services</li> <li>- Marketing and demonstration of advertisements.</li> </ul>

Financial information	<ul style="list-style-type: none"> <li>- Agreement (conclusion of the License agreement)</li> <li>- Our legitimate interest in reporting, security and avoidance of fraud.</li> </ul>	<ul style="list-style-type: none"> <li>- Collection and accounting of transactions, reporting</li> <li>- Revision of payments, crediting for payment, refunds</li> <li>- User support.</li> </ul>
Location information , Device information	<ul style="list-style-type: none"> <li>- Consent</li> <li>- Agreement (conclusion of the License agreement)</li> <li>- Our legitimate interest in market research we offer our Services on, statistics analysis.</li> </ul>	<ul style="list-style-type: none"> <li>- Statistics analysis of the use of our Services</li> <li>- Ability to save game progress and play a Game on other Devices.</li> </ul>
<b>When you use the Website</b>		
Cookies, Device information , Location information	<ul style="list-style-type: none"> <li>- Consent</li> <li>- Agreement (conclusion of the License agreement)</li> <li>- Our legitimate interest in market research we offer our Services on, statistics analysis.</li> </ul>	Statistics analysis of the use of our Services.
<b>When you contact our user support</b>		
Contact data	<ul style="list-style-type: none"> <li>- Consent, including consent expressed by implicative actions</li> <li>- Agreement (conclusion of the License agreement)</li> <li>- Our legitimate interest in market research we offer our Services on, statistics analysis.</li> </ul>	We will collect and use information that you provide to us upon request in order to be able to contact you and provide support: this is necessary to fulfill obligations of X Gaming Lab to provide Games to users, as well as to use the X Gaming Lab ID function.

## **IS PERSONAL DATA TRANSFERRED TO THIRD PARTIES?**

We may transfer your data to third parties indicated in this Policy within the designated purposes. By accepting the Policy, you confirm your consent to such transfer.

X Gaming Lab is engaged in game development, while our partners focus on their storage, analytics and demonstration of advertisements. Together we aim at providing you with the best user experience in the Games.

We allow our partners' services to collect the following categories of data:

- User information;
- IDs;
- Location information;
- Device information;
- Cookies.

This allows us to:

- store User data to provide high-quality support, as well as to restore progress, purchases in Games, and implementation of the multiplayer function;
- analyze and improve our Games;
- show you advertisements, including targeted advertisements.

Below is an up-to-date list of our partners and links to their privacy policies:

<b>Third-party service</b>	<b>Link to privacy policy</b>
Playfab	<a href="https://playfab.com/terms/">https://playfab.com/terms/</a>
Flurry	<a href="https://www.termsfeed.com/blog/privacy-policy-flurry/">https://www.termsfeed.com/blog/privacy-policy-flurry/</a>
Unity	<a href="https://unity3d.com/legal/privacy-policy">https://unity3d.com/legal/privacy-policy</a>
Yandex Metrics	<a href="https://metrika.yandex.com/about/info/privacy-policy">https://metrika.yandex.com/about/info/privacy-policy</a>
Admob	<a href="https://www.termsfeed.com/blog/privacy-policy-admob/">https://www.termsfeed.com/blog/privacy-policy-admob/</a>
Selectel	<a href="https://selectel.ru/en/about/documents/personal-data/">https://selectel.ru/en/about/documents/personal-data/</a>
Amazon AWS	<a href="https://aws.amazon.com/ru/privacy/">https://aws.amazon.com/ru/privacy/</a>
Google Firebase	<a href="https://policies.google.com/privacy">https://policies.google.com/privacy</a>
Facebook	<a href="https://www.facebook.com/policy.php">https://www.facebook.com/policy.php</a>
Microsoft	<a href="https://privacy.microsoft.com/en-us/privacystatement">https://privacy.microsoft.com/en-us/privacystatement</a>

We guarantee that the agreements we conclude with third parties being our partners ensure the level of personal data protection not lower than the Policy does and comply with the requirements of applicable data protection legislation.

We represent that we have concluded data processing agreements with all partners, which describe relevant technical and organizational measures taken by our partners to ensure protection of personal data, as well as an obligation not to further transfer personal data to other third parties.

Third-party services that we use introduce technical and organizational measures to ensure secure processing of personal data, as specified in their privacy policies.

## **HOW DOES TARGETED ADVERTISING WORK IN GAMES?**

We confirm that some of our Games contain advertising, so IDs are transferred to our advertising partners in order to implement this function. This is the minimum set of data required for our advertising partners, and we do not share any personal data with them that would allow them to identify a specific person in absence of additional information. However, advertising partners may additionally identify you based on other data about you available to them (for example, based on your gaming experience in another application). Based on this data, our partners can personalize advertisements that you can see. Practical point of using data is to present an advertiser the opportunity to place advertisements specifically for you through a personalized announcement. We do not pursue any other purpose when collecting, processing and transmitting the said data.

### **How to opt out of receiving targeted advertisements**

If you do not want to receive targeted advertising, you can opt out of our processing of your personal data, however, the functionality of our Services available to you will be limited. You can contact us at [ceo@x-gaming-lab.com](mailto:ceo@x-gaming-lab.com) to communicate your desire to opt out of receiving targeted advertisements. We will share this information with third parties whose services we use. Please, note that if you opt out of receiving targeted advertising, you can still receive contextual advertising that is not targeted, which is based on the content of the Games you use.

Third-party services may contain their own opt-out instruments in relation to selling personal data. To learn how third parties whose services we use deal with the issue of selling personal data, study their respective privacy policies.

In addition, your mobile device may allow you to opt out of receiving targeted advertising in all applications available on your device. On Android devices, you can opt out by enabling the “Opt out of ads personalization” option. On iOS devices, demonstration of targeted advertising is disabled by default, you can change this in the “Tracking” menu in Settings.

### **OUR RECEIPT OF PERSONAL DATA FROM THIRD PARTIES**

We may receive personal data from third parties, including from Platform and social media.

By accepting this Policy, you consent to our processing of personal data provided to us by third parties. At the same time, we guarantee that we will independently ask a third party --source of personal data -- to confirm that it has correctly collected consent to the transfer of data to us.

However, if you have reasons to believe that we process your personal data without your consent to transfer them to us, please, contact us via email [ceo@x-gaming-lab.com](mailto:ceo@x-gaming-lab.com)

### **LINKS TO THIRD-PARTY SERVICES**

While using our Games, you may see links to third-party websites or applications (for example, in advertisements shown in Games). We would like to warn you that we are not liable for the services of third parties and their data collection processes, and do not control them. By clicking on the links, you may share your personal data with third parties in accordance with their data processing rules.

### **HOW LONG DO WE STORE PERSONAL DATA?**

We do our best to limit the period of data processing to the necessary minimum and not store it for longer than it is reasonably necessary.

In accordance with the applicable law, we process your personal data only while you play Games, as well as for three years from the date of your last gaming session and activity in the Game. It is necessary to ensure your ability to restore your game progress and analyze your use of our Games.

In case the applicable data protection legislation changes to require personal data storage for a longer or shorter period, we will store your personal data in accordance with these new legal requirements.

Please note that upon expiration of the specified period, your data will be deleted, and you will not be able to restore your game progress.

As for the storage of Cookies on the Website, their storage is limited to the period of your session on the Website. However, there are several types of Cookies that can be stored for up to 1 year. These include Cookies that store information about the first visit of the Website and User's Device.

## **YOUR RIGHTS**

We respect your rights and guarantee the exercise of the following rights:

- you have a right to request access to your personal data (request the upload of a copy of your personal data), and also have the right to correct or delete it;
- you have a right to prohibit processing or object to processing of your personal data;
- you have a right to request information about our procedures of processing your data;
- you have a right to file a complaint against us with a supervisory authority of the country of your residency.

You may also exercise any rights provided for by the applicable data protection legislation. If you want to exercise one of the rights listed, please, contact us via [ceo@x-gaming-lab.com](mailto:ceo@x-gaming-lab.com), note that in order to avoid errors and abuse, we will need to identify the sender of the request, so we may request additional information from you, including User information or IDs.

Please, note that if you request erasure of your personal data, we will fulfill such a requirement within 30 days, and your game progress on all Devices will be lost. In addition, if your request is submitted to prohibit us from processing, or object to the processing of your personal data, we will be forced to terminate or restrict your access to the Services, since their functionality depends on the ability to process personal data.

## **PROTECTION OF PERSONAL DATA**

The security of your personal data is important to us.

We observe generally accepted standards to protect your information. In particular, we have taken at least the following measures:

- 1) we use TLS 1.2 encryption or even more secure for all network connections through which data is transmitted;
- 2) Testing of systems for vulnerabilities and security issues at least once every 12 months;



- 3) Access to confidential data is protected, for example, through passwords or access tokens;
- 4) The incident response processes are tested at least once every 12 months;
- 5) A system for maintaining accounts has been introduced in X Gaming Lab;
- 6) An automated system has been introduced to monitor logs and other security events, as well as to generate warnings about abnormal or security-related events.

Our employees and third parties are obliged to keep personal data confidential when accessing your data.

We are constantly improving our data security systems and doing everything in our capacity to prevent its leakage. In case such a leak occurs, we undertake to notify Users and the regulatory authority about the incident as quickly as possible, as well as to make every effort to minimize negative consequences.

## **INFORMATION FOR RESIDENTS OF THE RUSSIAN FEDERATION**

In accordance with 152-FZ, you can exercise all the rights provided for in section “What rights in relation to personal data do you have?”. Please, note that in order to exercise these rights, the law dictates that your request should contain:

- the number of the main identity document of a personal data subject or his representative,
- information about the date of issue of the specified document and the issuing authority,
- information confirming the participation of a subject of personal data in relations with operator (contract number, date of conclusion of the contract, conditional verbal designation, and (or) other information), or information otherwise confirming the fact of processing of personal data by the operator,
- signature of a personal data subject or his representative.

In this regard, we ask you to send requests in the form of scanned documents with your own signature. Please, note that your right to file a complaint may be exercised through communication with the Federal Service for Supervision of Communications, Information Technology and Mass Communications (Roskomnadzor) at: <https://rkn.gov.ru/personal-data/protection-of-the-innoce>.

We guarantee you that the data collected in relation to you will be stored within the territory of the Russian Federation.

We also draw your attention to the fact that your data in accordance with section “Is personal data transferred to third parties?” is transmitted by us to our partners who are located in EU and USA.

Cross-border transfer of personal data to the territory of EU member states is permitted by 152-FZ, since these countries provide an adequate level of protection and are parties to the Council of Europe Convention on the Protection of Individuals with Automated Processing of Personal Data.

Cross-border transfer of personal data to the territory of the United States is limited by 152-FZ, as a country that may not provide the same level of data protection as the legislation of Russia, except in cases when such transfer is carried out to fulfill a contract concluded with a data subject, or with his written consent. In our case, data is transferred to our partners in the USA on the basis of your voluntary consent expressed in acceptance of the Policy and the terms of our contract with you (License agreement), since their services are an integral part of our ability to provide Services to you.

We also assure you that your data is safe, and our partners in the USA adhere to high standards of data protection, as do we. We undertake to transfer your personal data to the United States only by using all necessary security mechanisms to protect your data, including data encryption.

## **INFORMATION FOR EU RESIDENTS**

You can exercise all the rights provided for in section “What rights in relation to personal data do you have?” in accordance with GDPR.

Please, note that in order to ensure your rights regarding collection, storage and processing of personal data, you have a right to file a complaint with the authority at your place of residence. The list of responsible authorities can be found at: [https://edpb.europa.eu/about-edpb/about-edpb/members\\_en](https://edpb.europa.eu/about-edpb/about-edpb/members_en).

Please, note that in accordance with section “Is personal data transferred to third parties?” your data may be transferred to our partners who are located in the Russian Federation and USA. These countries may not provide the same level of data protection as the legislation of your country of residence.

We undertake to store your personal data only in those jurisdictions that use the necessary security mechanisms to protect your personal data, including various data encryption methods. With each of the partners, we accept obligations under the standard contractual clauses adopted by the EU Commission, which give us a legal basis for such transfer.

Although we and third-party partners take all reasonable and necessary measures to protect your personal data from unauthorized access by third parties, we must inform you about the potential risks of such storage of your personal data within jurisdictions outside of the EEA in accordance with Article 49 (1)

(a) GDPR.

Among such potential risks are:

- (1) existence of rules and regulations on processing of personal data in such jurisdictions other than GDPR. Despite this, we provide personal data subjects with the level of guarantees provided to personal data subjects by GDPR.
- (2) Obtaining access to your personal data by government agencies of the Russian Federation or the United States, or other special government services. However, such access can be obtained by these authorities only in accordance with the current legislation of the relevant country and if there are legal grounds for obtaining access. We undertake not to disclose data in absence of a legitimate reason and to do so only to the minimum extent necessary for this.
- (3) Attempts to illegally access personal data. We take all the necessary measures to prevent such attempts and prevent unauthorized access to your personal data.

By agreeing to processing of your personal data in accordance with this Privacy Policy, you give us explicit consent to transfer your personal data to jurisdictions outside the EEA, despite all possible risks of such transfer.

## **INFORMATION FOR CALIFORNIA RESIDENTS (USA)**

The California Consumer Privacy Act (hereinafter “CCPA”) applies to processing of personal data in relation to customers who are residents of California.

We take measures to collect, use and disclose such data solely for the purpose of providing Services to you, or for other purposes provided for by the CCPA.

**“Do not sell my personal data”. We guarantee that we do not sell Users' personal data directly for a monetary reward.**

At the same time, we understand that CCPA has a very broad understanding of the term “data sale”. Therefore, in order to avoid discrepancies in interpretation, we want to confirm that some of our Games contain advertising, as described in section “Is personal data transferred to third parties?”. Besides, we do not monetize the transfer of personal data to third parties in any way.