

# Privacy Policy

*Effective Date: September 15, 2021*

## **1 WHO IS RESPONSIBLE FOR PROCESSING YOUR DATA AND HOW TO CONTACT US**

This privacy policy ("Policy") describes how the personally identifiable information ("Personal Information") you may provide in the "Sensorium App" mobile application ("Mobile Application" or "Service") and any of its related products and services (collectively, "Services") is collected, protected and used. It also describes the choices available to you regarding our use of your Personal Information and how you can access and update this information.

This Policy is a legally binding agreement between you ("User", "you" or "your") and **Sensorium AG** ("Sensorium", "we", "us" or "our"). By accessing and using the Mobile Application and Services, you acknowledge that you have read, understood, and agree to be bound by the terms of this Policy. This Policy does not apply to the practices of companies that we do not own or control, or to individuals that we do not employ or manage.

If you have any questions or concerns about this Privacy Policy, including those related to exercise any of your rights, please contact us through the game's Help & Support so we can reply to you more quickly.

Sensorium AG

Email: [legal@sensoriumxr.com](mailto:legal@sensoriumxr.com)

Address: c/o SwissLegal HPLAW ZUG, Bahnhofstrasse 10, 6300, Zug, Switzerland

## **2 WHAT PERSONAL DATA WE COLLECT AND WHY?**

We may source, use and otherwise process your personal data in different ways. In all cases we are committed to protecting your personal data.

In each of the sections listed below, we describe how we obtain your personal data and how we treat it.

### **2.1 INDIVIDUAL CUSTOMERS**

We collect personal data related to current, prospective, and former customers ("users") of our Services.

### **2.2 SOURCES OF PERSONAL DATA**

We may obtain your personal data from the following sources:

(a) From you directly (through the Mobile Application); and (or)

(b) From other entities, service providers that are assisting us in providing you with a service (including data analytics providers, operating systems, and internet services providers), or from your social networks accounts you used to sign in to our online services (for example, Facebook, Google, Instagram, etc.).

### **2.3 PERSONAL DATA THAT SENSORIUM COLLECTS AND PROCESSES**

We may collect the following categories of personal data relating to our users:

- (a) your first and last name;
- (b) your username;
- (c) your gender;
- (d) your age or birthday;
- (e) your e-mail address;
- (f) a password; and (or)
- (g) other information that helps us to identify you or helps us to provide or improve our services, namely:
  - Data about your account, specific ID for you when you use the Services;
  - Your IP address and unique mobile device identification numbers (such as your device ID, advertising ID, MAC address);
  - Data about your device, such as manufacturer, operating system, CPU, RAM, browser type and language;
  - Broad location data (e.g. country or city-level location);
  - Precise geolocation data (GPS, with your consent);
  - Usage data, such as data we collect with cookies and similar technologies Cookies Notice;
  - Data (such as your nickname, profile picture) we receive if you link another provider's tool with the Service (such as Facebook, Google or Instagram);
  - purchase history, including details of orders (amount spent, date, time, vouchers or offers used);
  - Data from platforms that the Mobile Application runs on (such as to verify payment);
  - Data for advertising and analytics purposes, so we can provide you a better Service;
  - Your email address and your messages to the Services (such as chat logs and player support tickets sent by email (or another service we can use in the future) any feedback you submitted about your experience with us; and (or)
  - Other data you choose to give us.

## **2.4 AUTOMATIC COLLECTION OF INFORMATION**

When you use the Mobile Application, our servers automatically record information that your device sends. This data may include information such as your device's IP address and location, device name and version, operating system type and version, language preferences, information you search for in the Mobile Application, access times and dates, and other statistics.

Information collected automatically is used only to identify potential cases of abuse and establish statistical information regarding the usage of the Mobile Application and Services. This statistical information is not otherwise aggregated in such a way that would identify any particular user of the system.

## **2.5 DATA SENSORIUM DOES NOT COLLECT OR DOES NOT COLLECT FOR SOME OF THEIR PRODUCTS**

We do not collect, proceed, store and (or) transfer your payment and billing data that you provide your payment agents and data about your purchase transactions as well.

## **2.6 HOW WE USE INFORMATION WE COLLECT AND OUR LEGAL BASES FOR PROCESSING IT**

We use your information under several legal bases, including to establish and perform our contract with you, for our legitimate interests, to comply with our legal obligations, to establish, use and protect Sensorium's rights, or otherwise with your consent.

The main use of the information we collect and store is to provide you with the Services you request from us and to improve your gaming experience, but there are other uses as well. The uses for which we collect and store your information include:

- (a) to create and manage user accounts;
- (b) to improve and optimize our Services and our users' experiences;
- (c) to identify and suggest connections with other users and personalize our Services to you;
- (d) to communicate with you about the Services you're using, including updates, new Services, and promotional offers that we think might be of interest to you;
- (e) to deliver products or services
- (f) to enable users to communicate with each other;
- (g) to provide technical support and respond to users' inquiries;
- (h) to protect the safety and well-being of our users;
- (i) to respond to legal requests and prevent harm;
- (j) to protect Sensorium's rights and property in connection with our Services;
- (k) to prevent fraud or potentially illegal activities, and to enforce our Terms of Use;
- (l) to manage and deliver contextual and behavioral advertising;
- (m) to administer prize draws and competitions;
- (n) to comply with our legal obligations, resolve any disputes we may have with you or other players, and to enforce our agreements with third parties; and (or)
- (o) to send marketing and promotional communications;
- (p) to enforce terms and conditions and policies
- (q) to conduct research;
- (r) Run and operate the Mobile Application and Services.

Processing your Personal Information depends on how you interact with the Mobile Application and Services, where you are located in the world and if one of the following applies: (i) you have given your consent for one or more specific purposes; this, however, does not apply, whenever the processing of Personal Information is subject to California Consumer Privacy Act or European data protection law; (ii) provision of information is necessary for the performance of an agreement with you and (or) for any pre-contractual obligations thereof; (iii) processing is necessary for compliance with a legal obligation to which you are subject; (iv) processing is related to a task that is carried out in the public interest or in the exercise of official authority vested in us; (v) processing is necessary for the purposes of the legitimate interests pursued by us or by a third party.

If you are located in the UK or European Countries (countries in the European Union (EU) and the European Economic Area (EEA), and Switzerland), our legal basis for collecting and using the information described above depends on what the information is and the context in which we collect it.

Note that under some legislations we may be allowed to process information until you object to such processing (by opting out), without having to rely on consent or any other of the following legal bases below. In any case, we will be happy to clarify the specific legal basis that applies to the processing, and in particular whether the provision of Personal Information is a statutory or contractual requirement, or a requirement necessary to enter into a contract.

If you have questions or need further information about the legal bases on which we collect and use your personal information, please contact us ([legal@sensoriumxr.com](mailto:legal@sensoriumxr.com))

### **3 HOW WE MANAGE AND WHO DO WE SHARE YOUR PERSONAL DATA WITH**

#### **3.1 MANAGING INFORMATION**

You are able to delete certain Personal Information we have about you. The Personal Information you can delete may change as the Mobile Application and Services change. When you delete Personal Information, however, we may maintain a copy of the unrevised Personal Information in our records for the duration necessary to comply with our obligations to our affiliates and partners, and for the purposes described below. If you would like to delete your Personal Information or permanently delete your account, you can do so on the settings page of your account in the Mobile Application or simply by contacting us.

#### **3.2 DISCLOSURE OF INFORMATION**

Depending on the requested Services or as necessary to complete any transaction or provide any service you have requested, we may contract with other companies and share your information with your consent with our trusted third parties that work with us, any other affiliates and subsidiaries we rely upon to assist in the operation of the Mobile Application and Services available to you. We do not share Personal Information with unaffiliated third parties. These service providers are not authorized to use or disclose your information except as necessary to perform services on our behalf or comply with legal requirements. We may share your Personal Information for these purposes only with third parties whose privacy policies are consistent with ours or who agree to abide by our policies with respect to Personal Information. These third parties are given Personal Information they need only in order to perform their designated functions, and we do not authorize them to use or disclose Personal Information for their own marketing or other purposes.

We will disclose any Personal Information we collect, use or receive if required or permitted by law, such as to comply with a subpoena, or similar legal process, and when we believe in good faith that disclosure is necessary to protect our rights, protect your safety or the safety of others, investigate fraud, or respond to a government request.

In the event we go through a business transition, such as a merger or acquisition by another company, or sale of all or a portion of its assets, your user account, and Personal Information will likely be among the assets transferred.

#### **3.3 RETENTION OF INFORMATION**

We will retain and use your Personal Information for the period necessary to comply with our legal obligations, resolve disputes, and enforce our agreements unless a longer

retention period is required or permitted by law. We may use any aggregated data derived from or incorporating your Personal Information after you update or delete it, but not in a manner that would identify you personally. Once the retention period expires, Personal Information shall be deleted. Therefore, the right to access, the right to erasure, the right to rectification and the right to data portability cannot be enforced after the expiration of the retention period.

### **3.4 TRANSFER OF INFORMATION**

Depending on your location, data transfers may involve transferring and storing your information in a country other than your own. You are entitled to learn about the legal basis of information transfers to a country outside the European Union or to any international organization governed by public international law or set up by two or more countries, such as the UN, and about the security measures taken by us to safeguard your information. If any such transfer takes place, you can find out more by checking the relevant sections of this Policy or inquire with us using the information provided in the contact section.

#### **3.4.1 TRANSFERS OF PERSONAL DATA OUTSIDE THE EU/EUROPEAN ECONOMIC AREA**

We share your personal data with our affiliates and partners in the EU/EEA and outside the EU/EEA. Where a data transfer outside the EU/EEA is not covered by an EU Commission adequacy decision, we rely on lawful safeguards referred to in Art 46 et. seq. GDPR. This mainly includes EU Commission-approved Standard Contractual Clauses which we enhanced by supplementary security measures such as ancillary individual risk-assessments, additional contractual safeguards and technical safeguards including additional encryption or pseudonymisation, to enable International transfers with Sensorium's affiliates and partners outside the EU/EEA. You will find the full text of the EU Commission-approved Standard Contractual Clauses through this link ([https://eur-lex.europa.eu/eli/dec\\_impl/2021/914/oj?uri=CELEX%3A32021D0914&locale=en](https://eur-lex.europa.eu/eli/dec_impl/2021/914/oj?uri=CELEX%3A32021D0914&locale=en)).

Please feel free to contact us for additional information on third country data transfers as well as our safeguards and supplementary security measures.

We share personal data with external vendors or service providers or suppliers that we engage to perform services or functions on our behalf and under our instructions. Where these vendors are located within the EU, we ensure that they are contractually obligated to comply with the EU data protection rules. We also ensure in our contracts with these organizations that they only process Personal Information in accordance with our instructions and in order to provide the agreed services and protect the integrity and confidentiality of your personal data entrusted to them.

We may also disclose personal data to our advisers, consultants, law enforcement and other public authorities (such as tax and social security bodies), the police, prosecutors, courts and tribunals. All these recipients are themselves responsible to comply with the EU data protection rules.

Some of the vendors that we engage to are located outside the European Economic Area. Where the EU Commission did not recognize them as locations providing adequate protection for personal data, we rely on lawful safeguards as described above.

### **3.5 YOU DATA PROTECTION RIGHTS UNDER GDPR**

If you are a resident of the European Economic Area (EEA), you have certain data protection rights and Sensorium aims to take reasonable steps to allow you to correct,

amend, delete, or limit the use of your Personal Information. If you wish to be informed what Personal Information we hold about you and if you want it to be removed from our systems, please contact us. In certain circumstances, you have the following data protection rights:

- (a) You have the right to request access to your Personal Information that we store and have the ability to access your Personal Information.
- (b) You have the right to request that we correct any Personal Information you believe is inaccurate. You also have the right to request us to complete the Personal Information you believe is incomplete.
- (c) You have the right to request the erase your Personal Information under certain conditions of this Policy.
- (d) You have the right to object to our processing of your Personal Information.
- (e) You have the right to seek restrictions on the processing of your Personal Information. When you restrict the processing of your Personal Information, we may store it but will not process it further.
- (f) You have the right to be provided with a copy of the information we have on you in a structured, machine-readable and commonly used format.
- (g) You also have the right to withdraw your consent at any time where Sensorium relied on your consent to process your Personal Information.

You have the right to complain to a Data Protection Authority about our collection and use of your Personal Information. For more information, please contact your local data protection authority in the European Economic Area (EEA).

### **3.6 CALIFORNIA PRIVACY RIGHTS**

In addition to the rights as explained in this Policy, California residents who provide Personal Information (as defined in the statute) to obtain products or services for personal, family, or household use are entitled to request and obtain from us, once a calendar year, information about the Personal Information we shared, if any, with other businesses for marketing uses. If applicable, this information would include the categories of Personal Information and the names and addresses of those businesses with which we shared such personal information for the immediately prior calendar year (e.g., requests made in the current year will receive information about the prior year). To obtain this information please contact us.

Furthermore, California residents have the right to opt-out of the sale of their Personal Information which may include selling, disclosing or transferring Personal Information to another business or a third party for monetary or other valuable consideration. To do so, please contact us.

#### **How to exercise these rights**

Any requests to exercise your rights can be directed to Sensorium through the contact details provided in this document. Please note that we may ask you to verify your identity before responding to such requests. Your request must provide sufficient information that allows us to verify that you are the person you are claiming to be or that you are the authorized representative of such person. You must include sufficient details to allow us to properly understand the request and respond to it. We cannot respond to your request or provide you with Personal Information unless we first verify your identity or authority to make such a request and confirm that the Personal Information relates to you.

### **3.7 THE RIGHTS OF USERS**

You may exercise certain rights regarding your information processed by us. In particular, you have the right to do the following: (i) you have the right to withdraw consent where you have previously given your consent to the processing of your information; (ii) you have the right to object to the processing of your information if the processing is carried out on a legal basis other than consent; (iii) you have the right to learn if information is being processed by us, obtain disclosure regarding certain aspects of the processing and obtain a copy of the information undergoing processing; (iv) you have the right to verify the accuracy of your information and ask for it to be updated or corrected; (v) you have the right, under certain circumstances, to restrict the processing of your information, in which case, we will not process your information for any purpose other than storing it; (vi) you have the right, under certain circumstances, to obtain the erasure of your Personal Information from us; (vii) you have the right to receive your information in a structured, commonly used and machine readable format and, if technically feasible, to have it transmitted to another controller without any hindrance. This provision is applicable provided that your information is processed by automated means and that the processing is based on your consent, on a contract which you are part of or on pre-contractual obligations thereof.

### **3.8 THE RIGHT TO OBJECT TO PROCESSING**

Where Personal Information is processed for the public interest, in the exercise of an official authority vested in us or for the purposes of the legitimate interests pursued by us, you may object to such processing by providing a ground related to your particular situation to justify the objection. You must know that, however, should your Personal Information be processed for direct marketing purposes, you can object to that processing at any time without providing any justification. To learn whether we are processing Personal Information for direct marketing purposes, you may refer to the relevant sections of this document.

## **4 PRIVACY OF CHILDREN**

WE RECOGNIZE THE NEED TO PROVIDE FURTHER PRIVACY PROTECTIONS WITH RESPECT TO PERSONAL INFORMATION WE MAY COLLECT FROM CHILDREN AND TAKE MANY SPECIAL PRECAUTIONS TO PROTECT THE PRIVACY OF CHILDREN. WE DO NOT REQUIRE A CHILD TO DISCLOSE MORE INFORMATION THAN IS REASONABLY NECESSARY TO USE THE MOBILE APPLICATION AND SERVICES. PARENTS CAN REVIEW THEIR CHILD'S INFORMATION, DELETE IT, AND REFUSE TO ALLOW ANY FURTHER COLLECTION OR USE OF SUCH INFORMATION. PARENTS HAVE AN EASY METHOD FOR GIVING CONSENT. WE ENCOURAGE CHILDREN TO CONSULT WITH THEIR PARENTS BEFORE SUBMITTING ANY INFORMATION TO ANY ONLINE RESOURCE, INCLUDING OUR MOBILE APPLICATION AND SERVICES. WE BELIEVE PARENTS SHOULD BE INVOLVED IN THE ONLINE ACTIVITIES OF THEIR CHILDREN AND SUGGEST THAT PARENTS DO THEIR BEST TO PROVIDE THEIR CHILDREN WITH A SAFE AND FRIENDLY ONLINE ENVIRONMENT.

## **5 ADVERTISEMENTS**

We may display online advertisements and we may share aggregated and non-identifying information about our customers that we or our advertisers collect through your use of the Mobile Application and Services. We do not share personally identifiable information about individual customers with advertisers. In some instances, we may use this aggregated and non-identifying information to deliver tailored advertisements to the intended audience.

We may also permit certain third party companies to help us tailor advertising that we think may be of interest to users and to collect and use other data about user activities in the Mobile Application. These companies may deliver ads that might place cookies and otherwise track user behavior.

## **6 AFFILIATES**

We may engage in affiliate marketing and have affiliate links present on the Mobile Application and Services. If you click on an affiliate link, a cookie will be placed on your browser to track any sales for purposes of commissions.

## **7 EMAIL MARKETING**

We offer electronic newsletters to which you may voluntarily subscribe at any time. We are committed to keeping your e-mail address confidential and will not disclose your email address to any third parties except as allowed in the information use and processing section or for the purposes of utilizing a third party provider to send such emails. We will maintain the information sent via e-mail in accordance with applicable laws and regulations.

In compliance with the CAN-SPAM Act, all e-mails sent from us will clearly state who the e-mail is from and provide clear information on how to contact the sender. You may choose to stop receiving our newsletter or marketing emails by following the unsubscribe instructions included in these emails or by contacting us. However, you will continue to receive essential transactional emails.

## **8 LINKS TO OTHER RESOURCES**

The Mobile Application and Services contain links to other resources that are not owned or controlled by us. Please be aware that we are not responsible for the privacy practices of such other resources or third parties. We encourage you to be aware when you leave the Mobile Application and Services and to read the privacy statements of each and every resource that may collect Personal Information.

## **9 INFORMATION SECURITY**

We secure information you provide on computer servers in a controlled, secure environment, protected from unauthorized access, use, or disclosure. We maintain reasonable administrative, technical, and physical safeguards in an effort to protect against unauthorized access, use, modification, and disclosure of Personal Information in its control and custody. However, no data transmission over the Internet or wireless network can be guaranteed. Therefore, while we strive to protect your Personal Information, you acknowledge that (i) there are security and privacy limitations of the



Internet which are beyond our control; (ii) the security, integrity, and privacy of any and all information and data exchanged between you and the Mobile Application and Services cannot be guaranteed; and (iii) any such information and data may be viewed or tampered with in transit by a third party, despite best efforts.

## **10 DATA BREACH**

In the event we become aware that the security of the Mobile Application and Services has been compromised or users Personal Information has been disclosed to unrelated third parties as a result of external activity, including, but not limited to, security attacks or fraud, we reserve the right to take reasonably appropriate measures, including, but not limited to, investigation and reporting, as well as notification to and cooperation with law enforcement authorities. In the event of a data breach, we will make reasonable efforts to notify affected individuals if we believe that there is a reasonable risk of harm to the user as a result of the breach or if notice is otherwise required by law. When we do, we will post a notice in the Mobile Application, send you an email, get in touch with you over the phone, mail you a letter.

## **11 CHANGES AND AMENDMENTS**

We reserve the right to modify this Policy or its terms relating to the Mobile Application and Services from time to time in our discretion and will notify you of any material changes to the way in which we treat Personal Information. When we do, we will revise the updated date at the bottom of this page. We may also provide notice to you in other ways in our discretion, such as through contact information you have provided. Any updated version of this Policy will be effective immediately upon the posting of the revised Policy unless otherwise specified. Your continued use of the Mobile Application and Services after the effective date of the revised Policy (or such other act specified at that time) will constitute your consent to those changes. However, we will not, without your consent, use your Personal Information in a manner materially different than what was stated at the time your Personal Information was collected.

## **12 ACCEPTANCE OF THIS POLICY**

You acknowledge that you have read this Policy and agree to all its terms and conditions. By accessing and using the Mobile Application and Services you agree to be bound by this Policy. If you do not agree to abide by the terms of this Policy, you are not authorized to access or use the Mobile Application and Services.

## **13 CONTACTING US**

If you would like to contact us to understand more about this Policy or wish to contact us concerning any matter relating to individual rights and your Personal Information, you may send an email to [legal@sensoriumxr.com](mailto:legal@sensoriumxr.com)