

PRIVACY POLICY

The privacy policy (the “Privacy Policy”) is a document which determines terms and conditions on which Bloober Team S.A., Polish company with its registered office in Krakow, Cystersów 9, 31-553 Kraków, entered into the Register of Entrepreneurs of the National Court Register kept by the District Court for Kraków - Śródmieście in Kraków, XI Commercial Division of the National Court Register under KRS number 0000380757, e-mail: biuro@blooberteam.com, tel. 0048 12 35 38 555 (the “Company” or “We”) may collect information and data (including personal data) concerning users (“Users”) at the following address www.layersoffears.com (“Website”).

The Company respects the privacy rights of Users and is committed to protecting the information collected through its products, services, and websites.

PLEASE READ THE FOLLOWING PRIVACY POLICY CAREFULLY. BY REGISTERING FOR OR USING OUR ONLINE SERVICES, YOU AGREE THAT (i) WE MAY TRANSFER, PROCESS, AND STORE YOUR E-MAIL INFORMATION IN EUROPEAN ECONOMIC AREA THAT MAY HAVE DIFFERENT PRIVACY PROTECTIONS THAN YOUR COUNTRY; (ii) WE MAY PROCESS YOUR DATA IN ACCORDANCE WITH THE FOLLOWING PRIVACY POLICY; (iii) YOU ARE BOUND BY OUR PRIVACY POLICY; AND (iv) YOU WILL ABIDE BY OUR TERMS & CONDITIONS, CODE OF CONDUCT, AND ANY OTHER POLICIES THAT MAY APPLY. THIS PRIVACY POLICY SUPPLEMENTS THE PRIVACY DISCLOSURES PROVIDED TO YOU WITH YOUR SOFTWARE PRODUCT AND/OR BY YOUR CONSOLE MANUFACTURER.

SCOPE OF APPLICATION

This Privacy Policy governs use by Users of services provided by the Company in the Website, including the technical assistance, means of communication and customer services, sending marketing offers, newsletters, providing technical support for Users, filling in questionnaires concerning the Website and making other functionalities of the Website available (collectively the “Online Services”). We have adopted this privacy policy to explain how we collect, store, disclose, transfer, protect, and otherwise use the information collected in connection with our Online Services.

Personal data of Users are processed in accordance with the applicable regulations on personal data protection. The Company is a controller of personal data of Users as defined in Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46/EC (“GDPR”). This Privacy Policy applies to the storage and processing Users’ personal data available at the Website. The rules of using the Website can be found in the relevant regulations available at the following link www.layersoffears.com/termservice (“Regulations”).

This Privacy Policy applies to the Company’s Online Services, websites, mobile applications, and other services that link to it or display it. In addition, the Company may also own several other domain names that relate to its labels, feature its products, or point to its websites, and we may from time to time add new sites and services.

Please note that this Privacy Policy applies only to information submitted and collected online through the Online Services, and does not apply to information that may be collected by the Company offline. In addition, this Privacy Policy does not apply to websites or services maintained by other companies or organizations (such as those who promote the Company’s products and services or sell related items) and the Company cannot and does not guarantee the security of any personal information disclosed to those third parties. In addition, please note that we may hire vendors (agents or contractors) to collect personal information on Company’s behalf and in such cases such vendors will be instructed to comply with this Privacy Policy. These vendors may not use User personal information for their own marketing purposes.

Company uses third parties for various services related to the Online Services, including customer sup-

port, technical support, contest data collection, and email fulfilment. When User signs up to receive a newsletter, Company may share User's personal information as necessary for third parties to provide services on Company's behalf. These third parties are not permitted to use such information for their own marketing purposes.

COLLECTION OF PERSONAL DATA THROUGH THE WEBSITES

Personal data of the User may be collected and processed in connection with the provision of Online Services offered by the Website. In order to receive newsletter, marketing offers, test games or participate in competitions, the User provides some personal data, i.e. e-mail address. While using the Website, other data concerning the history of use, use of the account functionalities, etc. may also be processed. In this case, personal data of the User is processed in order to provide services offered by the Company in accordance with the Regulations, such as sending marketing offers and newsletters, downloading and searching for content, enabling testing of games, using communication tools. The processing of data for the above purposes is lawful, because it is necessary to perform the contract concluded with the User, i.e. to provide the above-mentioned services (legal basis - Article 6(1)(b) of the GDPR).

Providing personal data is voluntary, however, failure to provide data which are necessary to use a given service of the Website may prevent the User from using this service, e.g. prevent receiving the newsletter and marketing information, prevent the provision of answers to inquiries and complaints, or prevent participation in competitions.

Personal information is information that identifies the User and that may be used to contact the User online or offline. The Company collects personal information from User on a voluntary basis. When User submits personal information to the Company, it will usually take the form of:

- Subscribing to newsletters or alerts;
- Registration for Online Services, websites, products, contests, and special events;
- Using "tell a friend," "email this page," or other E-Card features;
- Requesting technical support;
- Downloading demos, programs, or other software;
- Participating in polls, surveys, and questionnaires;
- Otherwise through use of our software, including console products, mobile products, and personal computer products, and through the use of our online products or Online Services where personal information is required for use and/or participation.

The types of information collected in connection with the activities listed above will vary depending on the activity. The information Company collects may include personal information such as your first and/or last name, e-mail address, mailing address or geolocation. In addition, Company may collect User's age, gender, date of birth, zip code, hardware configuration, console ID, software products played, survey data, purchases, IP address and the systems User has played on. Company may combine the information with User's personal information and across other computers or devices that User may use. Prize winners may be required to provide additional information for prize fulfilment.

If User uses or registers for an Online Service through a third-party service such as a gaming console's network service, an internet-based gaming service, or a social network website, or request that Company associates a Company account with a third-party service account, then limited user account personal information may be transferred to the Company as part of the registration process and Company may be able to collect information about User's use of the Online Services.

When User plays certain software products published by the Company, information about User's gameplay may be collected and transmitted to the Company through network services or any other internet connection method used by the hardware on which User plays such games.

COMPLAINTS, QUESTIONS AND TECHNICAL SUPPORT

When contacting for technical support, other questions or complaints, the User indicates their details, such as e-mail address, in order to be able to obtain answers to their questions or complaints. This data is processed for the purpose of providing information regarding questions and complaints. The data processing is lawful because it is necessary for the purposes resulting from the legitimate interests pursued by the Company (legal basis - Article 6(1)(f) of the GDPR). The legitimate interest of the Company consists in the necessity to respond to inquiries of Users and to process complaints.

COMPETITIONS

If the Company announces a competition on its website, the User may be asked to provide the personal data indicated in the relevant competition form in connection with entering such a competition. The data of the User participating in the competition are processed for the purposes of the carrying out of the competition, including the purpose of providing the results of the competition and prizes. The processing of data for the above purpose is lawful, because it is necessary for the Company to carry out the competition, i.e. to fulfil its obligations resulting from the organisation of the competition (legal basis - Article 6(1)(b) of the GDPR).

NEWSLETTER

Through the Website, the User may consent to direct marketing, i.e. receiving marketing information by electronic means. In such a case, the basis for data processing will be the User's consent (legal basis - Article 6(1)(b) of the GDPR). The marketing information provided in this manner may include, but is not limited to, information about the Company's services and products, events, questionnaires, newsletters, etc. This consent is entirely voluntary and is not a prerequisite for the use of the Websites. The User can opt out of receiving marketing information via electronic means at any time, e.g. by clicking on the link included in the received e-mail containing marketing content.

ANALYSIS AND RESEARCH

In the event of data collection for using technical support, submitting complaints and inquiries, participating in competitions, sending marketing information via electronic means, the Company may process User data for statistical and marketing analyses, developing marketing strategies and improving the quality of its services and products as well as the performance of the Websites. For this purpose, the Company may also use anonymous and non-anonymous questionnaires filled in by Users directly with the use of forms available on the Website or sent by Users via e-mail or in any other way. The data processing for the above purposes is lawful because it is necessary for the purposes resulting from the legitimate interests pursued by the Company (legal basis - Article 6(1)(f) of the GDPR). The legitimate interest of the Company consists in processing the data of the Client and the User in order to improve the quality of services and marketing of the Company's services and products.

CONSENT FOR PERSONAL DATA PROCESSING

If the Company asks the User to consent to the processing of personal data, e.g. in connection with the electronic transmission of marketing information or in connection with the participation in new projects or initiatives of the Company, and the User has given such consent, the User has the right to withdraw his consent at any time, which will not affect the lawful processing of data until the consent is withdrawn.

USER RIGHTS

In connection with the processing of personal data, User has the following rights:

- a) the right to access his data and receive a copy thereof,
- b) the right to rectify (amend) his data,
- c) the right to delete data (if, according to User, there is no reason to process his data, User may demand that the Company delete it),
- d) the right to limit the processing of data (User may demand that the Company limit the processing of data only for their storage or to perform agreed actions.
- e) right to object to the processing of data (User has the right to object to the processing of data on a legitimate interest basis, in which case User should indicate to Company a special situation which, in User's opinion, justifies Company's cessation of the processing of User's data for these purposes, unless it shows that the grounds for data processing will take precedence over User's rights or that User's data is necessary to establish, assert or defend Company claims),
- f) the right to transfer data (User is entitled to receive from the Company in a structured, commonly used machine-readable format personal data which you provided under the agreement or consent. User may order the Company to send this data directly to another entity),
- g) the right to lodge a complaint from the supervisory authority (if User determines that the Company is processing data unlawfully, User may submit a complaint to the supervisory authority).

DATA SECURITY AND STORAGE

The Company declares that the data stored and processed by it are secured in a necessary manner in accordance with applicable legal regulations. The Company maintains appropriate technical and organisational security measures. Access to the User's personal data is granted only to employees who need the data in order to provide services and operate the Websites.

Personal data of the User will be stored for as long as it is necessary to provide services, participate in a competition and provide technical support, prepare an answer to an inquiry or complaint, and no longer than for the period specified in the law or for the period of the statute of limitations of claims. Where the Company processes data for the direct marketing of its products and services, the data will cease to be processed for this purpose as soon as the User objects to the processing of their data.

The User may also withdraw their consent to the sending of marketing information by electronic means at any time, and the information will no longer be sent after the withdrawal of consent.

DATA TRANSFERS

The Company does not transfer the User's data to any third parties, unless such transfer is in accordance with the law, e.g. necessary to perform the service ordered by the User. The Company may also share User's personal information with third parties as described in this Privacy Policy. Depending on the circumstances, your data may be transferred to other entities, in particular: companies of the Company's group, external service providers (including IT service providers, marketing agencies), accountants, lawyers, auditors/reviewers, courts or other entities entitled to receive such data under the law.

The Company may share User's personal information to fulfil a request User has made, such as signing up for an email list or requesting customer support. In the event Company offers services or promotions where User's personal information is separately collected and used according to the privacy policy of a third party, Company will inform User of that at the time of collection and User may elect not to participate in the service or promotion. In addition, Company may share aggregate and other information regarding Online Service usage statistics and user demographics with third parties. Company may share User's personal and other information with third parties in connection with an investigation of fraud, intellectual property infringements, or other activity that is illegal or may expose User or Company to legal liability, including as required by law enforcement or other government officials. Company also may share User's

personal and other information with third parties when we have reason to believe that a disclosure is necessary to address potential or actual injury or interference with our rights, property, operations, users, or others who may be harmed or may suffer loss or damage, or when Company believes that disclosure is necessary to protect Company's rights, investigate, or enforce the policies, terms, and conditions, combat fraud and/or comply with a judicial proceeding, court order, or legal process served on the Company. In addition, User's personal and other information may be disclosed to a potential or actual successor or assign in connection with a proposed or consummated merger, acquisition, reorganization, bankruptcy, or other similar event involving all or a portion of the Company, the Company's customer information may be transferred to our successor or assign.

REDIRECTING TO THIRD PARTY WEBSITES

In the event that Users are redirected to websites of entities other than the Company (e.g. in order to purchase a selected product), the Company does not provide such entities with any personal data of the Users. To the extent that the functions or related websites visited by the User is not Company Website, the Company is not responsible for the processing of personal data related to the use of these websites. In order to understand the principles of data processing on these websites, the User should refer to the privacy policies made available on these websites.

SAFEGUARDS

To protect User's personal information, the Company follows generally accepted industry standards and maintains reasonable safeguards to attempt to ensure the security, integrity, and privacy of the information User has provided. The Company has security measures in place designed to protect against the loss, misuse, and alteration of the information under our control. Personal information collected by the Company is stored in secure operating environments that are not available to the public (e.g. locked rooms). To prevent unauthorized electronic access to personal information, the Company maintains information collected online behind a firewall-protected server. However, no system can be 100% secure and human errors occur, so there is the possibility that there could be unauthorized access to User's information. By using Company's services, User assume this risk.

COOKIES

Due to the continuous improvement of the comfort of using the Website, some of its elements may use cookies. These are small text files sent to the User's computer to identify him, and to correct and speed up certain operations. Cookies are stored on the User's device, helping to identify the User and to adapt the website to the User's personal preferences. Most cookies contain the website address, storage time and a unique number. Other information collected automatically when the Users visit the Websites include IP address, domain name, browser type, operating system, etc. This data is collected by means of cookies, among other things. They are used to optimise the user experience and to collect anonymous, collective statistics that are used to better understand user preferences and improve the quality of the website.

Cookies used in the Website collect anonymous statistical data, store information about participation in polls (without information about the outcome of a poll) and identify active sessions. By default, standard web browsers allow Users to store cookies on their device. If the User does not agree to the use of cookies, the settings of the browser should be changed. The User may also change these settings in such a way that the browser automatically accepts cookies or notifies the User about any attempt to save cookies on the device. More information about the settings for cookies can be found in the browser information. Disabling the storage of cookies on a browser does not prevent the User from accessing the Website, but it may cause some inconvenience in using them.

CHILDREN

The Company recognizes the importance of safeguarding the privacy of children and encourages parents to check and monitor their children's use of online activities regularly. The Website is not aimed at nor intended for children under age of thirteen (13). If the User is under the age of thirteen (13), it is required not to use the Website. If the User is over the age of thirteen (13) but under the age of eighteen (18), should use the Website only with the involvement and permission of a parent or legal guardian. The Website doesn't accept registration from children under the age of eighteen (18). No personally identifiable information is purposefully or knowingly collected from children under the age of eighteen (18) by Company without parental consent. If Company discovers that a person under the age of eighteen (18) has provided Company with any personal identifiable information, Company will use commercially reasonable efforts to delete such person's personally identifiable information from its system. Every User hereby agrees that all provided information, including but not limited to age, shall be truthful and correct.

CHANGES TO THE PRIVACY POLICY

The Company may amend this Privacy Policy at any time by informing Users thereof by posting an updated version of the Privacy Policy on the Website and informing Users thereof by sending an updated Privacy Policy to their e-mail addresses or by posting the relevant information directly on the User's account, in the case of Users with an account. For the above reasons, it is recommended that the User checks the current version of the Privacy Policy from time to time. If the User does not accept the changes in the Privacy Policy, he should stop using the Website. As far as permitted by applicable law, User's continued use of the Online Services will signify the acceptance of these changes.

CONTACT

In case of any questions or concerns regarding this Privacy Policy or if the User wishes to exercise his rights regarding the processing of personal data, please use the contact information below:

Bloober Team S.A.: ul. Cystersów 9, 31-553 Kraków, Poland, iod@blooberteam.com

For all questions or complaints about this Privacy Policy or regarding the protection of personal data, User can contact Company's via email at iod@blooberteam.com or by regular mail at Bloober Team S.A., ul. Cystersów 9, 31-553 Kraków, Poland.

User may also have the right to complain to an EU data protection authority.

OTHER TERMS

Use of Company's services and products may be subject to other terms, conditions and disclosures prescribed by the Company, console manufacturers and/or other partners, including: (i) the Limited Software Warranty and License Agreement that accompanied the purchase of the game; (ii) terms of service, privacy policy, and code of conduct for our Online Services; (iii) other terms and disclosures which are made available to User by the Company; and (iv) the terms, conditions, and disclosures made available to User by third parties in connection with the use of their gaming consoles and/or Online Services. All such terms, conditions and disclosures are incorporated by reference into this Privacy Policy. User may be able to sign up for or access the Online Services through third-party platforms such as gaming consoles, mobile devices, other websites and social networking services. When User submits personal information to the Company via a third-party platform, User's use of that platform is also governed by its terms of service, privacy policies and/or code of conduct. Please review each company's governing policies before using their services.