

Privacy Policy

Effective as of September 23, 2020.

This Privacy Policy describes how Super Evil Mega Corp. Inc. and our subsidiaries and affiliates (collectively "**Super Evil**," "**we**", "**us**" or "**our**") handle personal information that we collect through our digital properties that link to this privacy policy, including our websites and video games (collectively, the "**Service**"), as well as through social media, our marketing activities, our live events, and other activities described in this Privacy Policy.

[Click here for a printable copy of this Privacy Policy.](#)

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Personal information we collect

Information you provide to us. Personal information you may provide to us through the Service or otherwise includes:

- **Contact data**, such as your email address and phone number.
- **Profile data**, such as your username, in-game name, and password that you set to establish an online account with us, third party account identifiers, game ownership information, information about your participation in our events, promotions, sweepstakes, contests, or surveys, and any other information that you add to your account profile.
- **Communications** that we exchange, including when you contact us with questions or feedback, through social media, or otherwise, or that you exchange on or through the Service, such as with other players.

- **Research data** that you provide when you agree to participate in our surveys, promotions, or contests, such as your survey responses.
- **Purchase history.**
- **User generated content**, such as posts and fan art that you can choose to upload to our forums.
- **Marketing data**, such as your preferences for receiving communications about our marketing communications.
- **Other information** that we may collect which is not specifically listed here, which we use as described in this Privacy Policy or as otherwise described at the time of collection.

Third party sources. We may combine personal information we receive from you with personal information we obtain from other sources, such as our marketing partners with whom we have entered into joint marketing relationships.

Automatic data collection. We, our service providers, and our business partners may automatically log information about you, your computer or mobile device, your activity over time on our sites and other online services, and your interactions with our marketing communications such as:

- **Device data**, such as your computer's or mobile device's operating system type and version, manufacturer and model, browser type, screen resolution, RAM and disk size, CPU usage, device type (e.g., phone, tablet), IP address, unique identifiers (including identifiers used for advertising purposes), language settings, mobile device carrier, radio/network information (e.g., WiFi, LTE, 3G), and general location information such as city, state or geographic area.
- **Online activity data**, such as pages or screens you viewed, how long you spent on a page or screen, the website you visited before browsing to the Service, navigation paths between pages or screens, information about your activity on a page or screen, access times, and duration of access, and whether you have opened our marketing emails or clicked links within them.
- **In-game data**, such as information regarding your in-game performance and interactions with other players (e.g., win/loss ratio, characters played, statistics).

Cookies. Some of our automatic data collection is facilitated by cookies and similar technologies. For more information, see our Cookie Notice.

How we use your personal information

We use your personal information for the following purposes or as otherwise described at the time we collect it:

Service delivery. We use your personal information to:

- provide, operate and improve the Service and our business;
- communicate with you about the Service, including by sending announcements, updates, security alerts, and support and administrative messages;
- understand your needs and interests, and personalize your experience with the Service and our communications; and
- provide support for the Service, and respond to your requests, questions and feedback.

Research and development. We may use your personal information for research and development purposes, including to analyze and improve the Service and our business. As part of these activities, we may create aggregated, de-identified or other anonymous data from personal information we collect. We make personal information into anonymous data by removing information that makes the data

personally identifiable to you. We may use this anonymous data and share it with third parties for our lawful business purposes, including to analyze and improve the Service and promote our business.

Marketing and advertising. We and our third party advertising partners may collect and use your personal information for marketing and advertising purposes:

- **Direct marketing.** We may send you Super Evil-related direct marketing communications as permitted by law. You may opt-out of our marketing communications as described in the [Opt-out of marketing](#) section below.
- **Interest-based advertising.** We may contract with third-party advertising and social media companies to display ads on our Service and other online services. These companies may use cookies and similar technologies to collect information about you (including the data described in the [automatic data collection](#) section above) over time across our Service and other online services, and use that information to serve ads that they think will interest you. You can learn more about your choices for limiting interest-based advertising in the Your choices section of our Cookie Notice.

Compliance and protection. We may use your personal information to:

- comply with applicable laws, lawful requests, and legal process, such as to respond to subpoenas or requests from government authorities;
- protect our, your or others' rights, privacy, safety or property (including by making and defending legal claims);
- audit our internal processes for compliance with legal and contractual requirements and internal policies;
- enforce the terms and conditions that govern the Service; and
- prevent, identify, investigate and deter fraudulent, harmful, unauthorized, unethical or illegal activity, including cyberattacks and identity theft.

How we share your personal information

We may share your personal information with the following parties and as otherwise described in this Privacy Policy or at the time of collection:

Affiliates. Our corporate parent, subsidiaries, and affiliates, for purposes consistent with this Privacy Policy.

Service providers. Companies and individuals that provide services on our behalf or help us operate the Service or our business (such as information technology, hosting, customer relationship management and support, communications delivery, marketing, advertising, and website analytics).

Advertising partners. Third party advertising companies that collect information about your activity on the Service and other online services to help us advertise our services, and/or use customer lists that we share with them to deliver ads on their platforms on our behalf to those customers and similar users.

Professional advisors. Professional advisors, such as lawyers, auditors, bankers and insurers, where necessary in the course of the professional services that they render to us.

Authorities and others. Law enforcement, government authorities, and private parties, as we believe in good faith to be necessary or appropriate for the [compliance and protection purposes](#) described above.

Business transferees. Acquiring and other relevant parties to business transactions (or potential transactions) involving a corporate divestiture, merger, consolidation, acquisition, reorganization, sale

or other disposition of all or any portion of the business or assets of, or equity interests in, Super Evil or our affiliates (including, in connection with a bankruptcy or similar proceedings).

Other users and the public. Certain in-game information, such as your in-game name and statistics, are visible to other users of the Service and the public.

Your choices

You have the following choices with respect to your personal information.

Access or update your information. If you have registered for an online account with us, you may review and update certain account information from your account.

Opt-out of marketing communications. You may opt-out of marketing-related emails by following the opt-out or unsubscribe instructions at the bottom of the email, or by [contacting us](#). You may continue to receive service-related and other non-marketing emails. If you receive marketing text messages from us, you may opt out of receiving further marketing text messages from us by replying STOP to our marketing message.

Cookies. For information about cookies employed by the Service and how to control them, see our Cookie Notice.

Do Not Track. Some Internet browsers may be configured to send “Do Not Track” signals to the online services that you visit. We currently do not respond to “Do Not Track” or similar signals. To find out more about “Do Not Track,” please visit <http://www.allaboutdnt.com>.

Declining to provide information. We need to collect personal information to provide certain services. If you do not provide the information we identify as mandatory, we may not be able to provide those services.

Access, amend, deletion, and opt-out. You may contact us to request access to, update or correct inaccuracies in, delete, or opt-out of certain uses of, your personal information. We will respond as required by law.

Other sites and services

The Service may contain links to websites, mobile applications, and other online services operated by third parties. These links are not an endorsement of, or representation that we are affiliated with, any third party. In addition, our content may be included on web pages or in mobile applications or other online services that are not associated with us. We do not control websites, mobile applications or online services operated by third parties, and we are not responsible for their actions.

Security

We employ a number of technical, organizational and physical safeguards designed to protect the personal information we collect. However, security risk is inherent in all internet and information technologies and we cannot guarantee the security of your personal information.

International data transfer

We are headquartered in the United States and may use service providers that operate in other countries. Your personal information may be transferred to the United States or other locations where privacy laws may not be as protective as those in your state, province, or country.

Children

We do not intentionally collect the personal information of children under 16 years of age. If we learn that we have collected personal information through the Service from a child under 16 without the consent of the child's parent or guardian as required by law, we will delete it.

Changes to this Privacy Policy

We reserve the right to modify this Privacy Policy at any time. If we make changes to this Privacy Policy, we will notify you by updating the date of this Privacy Policy and posting it on the Service. If required by law we will also provide notification of changes in another way that we believe is reasonably likely to reach you, such as via email or another manner through the Service. Any modifications to this Privacy Policy will be effective upon our posting the modified version (or as otherwise indicated at the time of posting). In all cases, your use of the Service after the effective date of any modified Privacy Policy indicates your acceptance of the modified Privacy Policy.

How to contact us

Email: privacy@superevilmegacorp.com

Mail: 119 S B Street, Ste A, San Mateo, CA, 94401, United States

Information for California residents

Scope. This section describes how we collect, use, and share the Personal Information of California residents as a "business" under the California Consumer Privacy Act ("CCPA") and their rights with respect to their Personal Information. For purposes of this section, "**Personal Information**" has the meaning given in the CCPA but does not include information exempted from the scope of the CCPA.

Your California privacy rights. As a California resident, you have the rights listed below. However, these rights are not absolute, and in certain cases we may decline your request as permitted by law.

- **Information.** You can request the following information about how we have collected and used your Personal Information during the past 12 months:
 - The categories of Personal Information we have collected.
 - The categories of sources from which we collected the Personal Information.
 - The categories of third parties with whom we share the Personal Information.
 - The categories of Personal Information that we sold or disclosed for a business purpose.
 - The categories of third parties to whom the Personal Information was sold or disclosed for a business purpose.
 - The business or commercial purpose for collecting and/or selling Personal Information.
- **Access.** You can request a copy of the Personal Information that we have collected about you during the past 12 months.
- **Deletion.** You can ask us to delete the Personal Information that we have collected from you.
- **Opt-out of sales.** If we sell your Personal Information, you can opt-out of those sales.
- **Nondiscrimination.** You are entitled to exercise the rights described above free from discrimination as prohibited by the CCPA.

How to exercise your rights

You may submit requests to exercise your California privacy rights described above as follows:

- **Right to information, access and deletion.** You may submit requests to exercise your right to information, access or deletion by:
 - visiting <https://catalystblack.zendesk.com/hc/en-us/requests/new>
 - emailing privacy@superevilmegacorp.com
- **Right to opt-out of the “sale” of your Personal Information.** Like many companies, we use services that help deliver interest-based ads to users as described in the [Interest-based advertising](#) section above. While we do not “sell” Personal Information in the conventional sense, our use of these services may constitute a statutory “sale” of Personal Information to the providers of those services for purposes of the CCPA. See the [Do Not Sell My Personal Information](#) section of our Cookie Notice for information on how to opt-out.

We cannot process your request if you do not provide us with sufficient detail to allow us to understand and respond to it.

We will need to verify your identity to process your information, access and deletion requests and reserve the right to confirm your California residency. To verify your identity, we may require you to log into your Super Evil account (if applicable), provide government identification, give a declaration as to your identity under penalty of perjury and/or provide additional information. Your authorized agent may make a request on your behalf upon our verification of the agent’s identity and our receipt of a copy of valid power of attorney given to your authorized agent pursuant to California Probate Code Sections 4000-4465. If you have not provided your agent with such a power of attorney, you must provide your agent signed permission to exercise your CCPA rights on your behalf, provide the information we request to verify your identity, and provide us with written confirmation that you have given the authorized agent permission to submit the request. Authorized agents are required by California law to implement and maintain reasonable security procedures and practices to protect their clients’ information.

Personal information that we collect, use and disclose

The chart below describes our practices regarding the collection and disclosure of Personal Information currently and during the 12 months preceding the effective date of this Privacy Policy by reference to the categories of Personal Information specified in the CCPA. Information you voluntarily provide to us, such as in free-form webforms, may contain other categories of personal information not described below.

Statutory category of Personal Information (Cal. Civ. Code § 1798.140)	Personal Information we collect in this category (See the Personal information we collect section above for description)
Identifiers	<ul style="list-style-type: none"> ● <i>Contact data</i>
Commercial Information	<ul style="list-style-type: none"> ● <i>Profile data</i> ● <i>Purchase history</i> ● <i>Research data</i> ● <i>Communications</i> ● <i>Marketing data</i> ● <i>Online activity data</i>
Financial Information	<ul style="list-style-type: none"> ● <i>Purchase history</i>

Online Identifiers	<ul style="list-style-type: none"> • <i>Profile data</i> • <i>Device data</i> • <i>In-game data</i>
Internet or Network Information	<ul style="list-style-type: none"> • <i>Marketing data</i> • <i>Device data</i> • <i>Online activity data</i>
Geolocation Data	<ul style="list-style-type: none"> • <i>Device data</i>
Inferences	<p><i>May be derived from your:</i></p> <ul style="list-style-type: none"> • <i>Purchase history</i> • <i>Marketing data</i> • <i>Device data</i> • <i>Online activity data</i> • <i>In-game data</i>
<p>Sources. We describe the sources from which we collect these categories of Personal Information in the section above entitled Personal information we collect.</p> <p>Purposes. We describe the business and commercial purposes for which we collect these categories of Personal Information in the section above entitled How we use your personal information.</p> <p>Disclosure. We describe the categories of third parties to which we disclose these categories of Personal Information above in the section above entitled How we share your personal information.</p>	

Information regarding the European Economic Area

Notice to European users

This section applies only to individuals in the United Kingdom and the European Economic Area.

Personal information. References to “personal information” in this Privacy Policy are equivalent to “personal data” governed by European data protection legislation.

Controller. Super Evil Mega Corp. Inc. is the controller of your personal information covered by this Privacy Policy for purposes of European data protection legislation.

EU representative. Our EU representative is:

DPR Group,
Phoenix House,
Monahan Road, Cork, T12 H1XY
Republic of Ireland

Legal bases for processing. The legal bases of our processing of your personal information as described in this Privacy Policy will depend on the type of personal information and the specific context in which we process it. However, the legal bases we typically rely on are set out in the table below. We rely on our legitimate interests as our legal basis only where those interests are not overridden by the impact on you (unless we have your consent or our processing is otherwise required or permitted by law). If you have questions about the legal basis of how we process your personal information, contact us at privacy@superevilmegacorp.com.

Processing purpose (click link for details)	Legal basis
Service delivery	Processing is necessary to perform the contract governing our provision of the Service or to take steps that you request prior to signing up for the Service. Where we cannot process your personal data as required to operate the Service on the grounds of contractual necessity, we process your personal information for this purpose based on our legitimate interest in providing you with the Service you access and request.

Marketing and advertising	Processing is based on your consent where that consent is required by applicable law. Where such consent is not required by applicable law, we process your personal information for these purposes based on our legitimate interests in promoting our business.
Research and development Compliance and protection	These activities constitute our legitimate interests.
Compliance with legal obligations	Processing is necessary to comply with our legal obligations.
Actions we take with your consent	Processing is based on your consent. Where we rely on your consent you have the right to withdraw it any time in the manner indicated when you consent or in the Service.

Use for new purposes. We may use your personal information for reasons not described in this Privacy Policy where permitted by law and the reason is compatible with the purpose for which we collected it. If we need to use your personal information for an unrelated purpose, we will notify you and explain the applicable legal basis.

Sensitive personal information

We ask that you not provide us with any sensitive personal information (e.g., social security numbers, information related to racial or ethnic origin, political opinions, religion or other beliefs, biometrics or genetic characteristics, criminal background or trade union membership) through the Service or otherwise. If you do not consent to our processing and use of such sensitive personal information, you must not provide it to us.

Retention

We retain personal information where we have an ongoing legitimate business need to do so (for example, to provide you with a service you have requested; to comply with applicable legal, tax or accounting requirements; to establish or defend legal claims; or for fraud prevention). When we have no ongoing legitimate business need to process your personal information, we will either delete or anonymize it or, if this is not possible (for example, because your personal information has been stored in backup archives), then we will securely store your personal information and isolate it from any further processing until deletion is possible.

We generally retain the following information for the identified approximate time periods, which may change:

- Certain profile data such as your username - Indefinite
- Purchase history - Seven years
- Certain in-game data - Two years
- Certain communications, such as chat logs - Ninety days
- Certain online activity data, such as application logs - Sixty days

Your rights

European data protection laws give you certain rights regarding your personal information. If you are located within the United Kingdom or European Economic Area, you may ask us to take the following actions in relation to your personal information that we hold:

- **Access.** Provide you with information about our processing of your personal information and give you access to your personal information.
- **Correct.** Update or correct inaccuracies in your personal information.
- **Delete.** Delete your personal information.
- **Transfer.** Transfer a machine-readable copy of your personal information to you or a third party of your choice.
- **Restrict.** Restrict the processing of your personal information.
- **Object.** Object to our reliance on our legitimate interests as the basis of our processing of your personal information that impacts your rights.

You may submit these requests by email to privacy@superevilmegacorp.com or our postal address provided above in the [How to contact us](#) section. We may request specific information from you to help us confirm your identity and process your request. Applicable law may require or permit us to decline your request. If we decline your request, we will tell you why, subject to legal restrictions. If you would like to submit a complaint about our use of your personal information or our response to your requests regarding your personal information, you may [contact us](#) or submit a complaint to the data protection regulator in your jurisdiction. You can find your data protection regulator [here](#).

Cross-Border Data Transfer

If we transfer your personal information from the United Kingdom or European Economic Area to another country such that we are required to apply additional safeguards to your personal information under European data protection laws, we will do so. Please [contact us](#) for further information about any such transfers or the specific safeguards applied.

Privacy Shield

Super Evil complies with the requirements of the EU-U.S. Privacy Shield Framework, as set forth by the U.S. Department of Commerce, regarding the collection, use and retention of personal information from the European Union (“EU”) and United Kingdom to the United States (collectively “**Privacy Shield**”). However, Super Evil does not rely on the Privacy Shield as a legal basis for transfers of personal data in light of the judgment of the Court of Justice of the EU in Case C-311/18.

Super Evil has certified to the Department of Commerce that it adheres to the Privacy Shield Principles. If third-party agents process personal information on our behalf in a manner inconsistent with the Privacy Shield Principles, we remain liable unless we prove we are not responsible for the event giving rise to the damage. If there is any conflict between the terms in this Privacy Policy and the Privacy Shield Principles, the Privacy Shield Principles shall govern. To learn more about the Privacy Shield program, and to view our certification, please visit <https://www.privacyshield.gov>.

In certain cases, we may be required to disclose personal information in response to lawful requests by public authorities, including to meet national security or law enforcement requirements. If you feel that we are not abiding by the terms of this Privacy Policy, or are not in compliance with the Privacy Shield Principles, please contact us or our EU representative. In addition, we have agreed to refer unresolved

Privacy Shield complaints to the JAMS Privacy Shield Dispute Resolution Program (“**JAMS**”), a dispute resolution provider which has locations in the United States and EU. If you do not receive timely acknowledgment of your complaint from us, or if we have not resolved your complaint, please visit JAMS at the following link for more information or to file a complaint: <https://www.jamsadr.com/file-an-eu-us-privacy-shield-or-safe-harbor-claim>. The services of JAMS are provided at no cost to you. You may also have a right, under certain conditions described on the Privacy Shield website (<https://www.privacyshield.gov/article?id=How-to-Submit-a-Complaint>), to invoke binding arbitration under Privacy Shield. The United States Federal Trade Commission has jurisdiction over Super Evil’s compliance with the Privacy Shield.

Cookie Notice

This Cookie Notice explains how Super Evil Mega Corp. Inc., (“**Super Evil**”, “**we**”, “**us**” or “**our**”) uses cookies and similar technologies in connection with:

- the www.superevilmegacorp.com website and any other website that we own or control and to which this Cookie Notice is posted (collectively, the “**Sites**”); and
- our mobile game applications (“**App**”).

What are cookies?

Cookies are small data files that are placed on your computer or mobile device when you visit a website. Cookies serve different purposes, like helping us understand how a site is being used, letting you navigate between pages efficiently, remembering your preferences and generally improving your browsing experience.

Our Sites may use both session cookies (which expire once you close your web browser) and persistent cookies (which stay on your computer or mobile device until you delete them).

We use two broad categories of cookies: (1) first party cookies, served directly by us, which we use to recognize your computer or mobile device when it revisits our Sites; and (2) third party cookies, which are served by service providers or business partners on our Sites, and can be used by these parties to recognize your computer or mobile device when it visits other websites. Third party cookies can be used for a variety of purposes, including site analytics, advertising and social media features.

What types of cookies and similar technologies are used on your Sites and App?

On the Sites, we use cookies and other tracking technologies in the following categories described in the table below.

Type	Description	Who serves the cookies (link to privacy policy/site)	How to control them
<i>Advertising</i>	These cookies are used by advertising companies to collect information about how you use our Sites and other websites over time. These companies use this information to show you ads they believe will be relevant to you within our Service and elsewhere, and to measure how the ads perform.	Google Doubleclick Facebook	You can opt-out of Google Doubleclick cookies here . You can opt-out of Facebook cookies here . See ‘your choices’ below.

<i>Analytics</i>	These cookies help us understand how our Service is performing and being used. These cookies may work with web beacons included in emails we send to track which emails are opened and which links are clicked by recipients.	Google Analytics	You can find out more information about Google Analytics cookies here and about how Google protects your data here . You can prevent the use of Google Analytics relating to your use of our Sites by downloading and installing a browser plugin available here . See 'your choices' below.
<i>Essential</i>	These cookies are necessary to allow the proper technical operation of our Sites.	Adobe Typekit Google Tag Manager	See 'your choices' below.
<i>Functionality / performance</i>	These cookies enhance the performance and functionality of our Service.	N/A	See 'your choices' below.
<i>Social</i>	These cookies may allow you to log into the Sites or App through your social media account or share content in our sites that you find interesting through third party social media providers. These cookies may also be used for advertising purposes.	Facebook Connect	See 'your choices' below.

Other technologies

In addition to cookies, our Sites and emails may use other technologies to collect information. For example, we may use web beacons (which are also known as pixel tags and clear GIFs) on our Sites and in our HTML formatted emails to track the actions of users on our Sites and whether recipients of our marketing emails open or click links within them. Unlike cookies, which are stored on the hard drive of your computer or mobile device by a website, pixel tags are embedded invisibly on webpages or within

HTML formatted emails. Pixel tags are used to demonstrate that a webpage was accessed or that certain content was viewed, typically to measure the success of our marketing campaigns or engagement with our emails (e.g., they may tell us whether you have opened an email, and/or forwarded it on to someone else) and to compile statistics about usage of the Sites, so that we can manage our content more effectively.

Mobile application software development kits (SDKs)

We may use third-party software development kits (“**SDKs**”) in our mobile applications. A SDK is third-party computer code that may be used for a variety of purposes, including to provide us with analytics regarding the use of our mobile applications, to integrate with social media, add features or functionality to our app, or to facilitate online advertising. SDKs may enable third parties to collect information directly from our mobile app.

Your choices

Your options for controlling what information cookies and similar technologies collect about you include:

- **Blocking cookies in your browser.** Most browsers let you remove or reject cookies. To do this, follow the instructions in your browser settings. Many browsers accept cookies by default until you change your settings. Please note that if you set your browser to disable cookies, the Sites may not work properly. For more information about cookies, including how to see what cookies have been set on your device and how to manage and delete them, visit www.allaboutcookies.org. If you do not accept our cookies, you may experience some inconvenience in your use of our Sites. For example, we may not be able to recognize your computer or mobile device and you may need to log in every time you visit our Sites.
- **Third party opt-out option.** You can opt-out of interest-based advertising through some of the third parties listed in the chart above by using the corresponding third party opt-out tool provided in the chart.
- **Industry association opt-outs.** You may opt out of receiving interest-based advertising on websites through members of the Network Advertising Initiative by clicking [here](#) or the Digital Advertising Alliance by clicking [here](#). You may opt out of receiving targeted advertising in mobile apps through participating members of the Digital Advertising Alliance by installing the AppChoices mobile app, available [here](#), and selecting the user’s choices. Please note that we also may work with companies that offer their own opt-out mechanisms and may not participate in the opt-out mechanisms linked above.
- **Blocking advertising ID use in your mobile settings.** Your mobile device settings may provide functionality to limit use of the advertising ID associated with your mobile device for interest-based advertising purposes.

California “Do Not Sell My Info” Notice

Like many companies, we use services that help deliver interest-based ads to you, such as the services associated with the advertising cookies listed above. Our use of these services may constitute a “sale” of your Personal Information for purposes of the CCPA because the advertising partners that provide the services because collect information from our users (e.g., the device data and online activity data

described above) to help them serve ads more likely to interest you. See the [your choices](#) section above for information on opting-out of the use of your information for interest-based advertising.

Changes

Information about the cookies we use may be updated from time to time, so please check back on a regular basis for any changes.

Questions

If you have any questions about this Cookie Notice, please contact us by email at privacy@superevilmegacorp.com.

For more information about how we collect, use and share your information, see our Privacy Policy.