

## PRIVACY POLICY

Effective from October 17, 2024

This Privacy Policy (hereinafter – the “Policy”) describes how and when DIGITAL VORTEX ENTERTAINMENT LTD (hereinafter – “Company”, “we”, “us”, “our”), its subsidiaries and affiliated companies collect and utilize the information pertaining to your use of our services. By giving your consent in the consent forms provided in our Games or by using our Website (hereinafter collectively – “the Services”), you (hereinafter – the “User”) consent to this Policy.

As the Company is established under the laws of the Republic of Cyprus, this Policy is in compliance with the General Data Protection Regulation (EU) 2016/679 (hereinafter – the “GDPR”), according to which we are the data controller.

We reserve the right to amend this Policy. Amendments will be effective from the moment of their publication, so please check regularly to be sure you are familiar with the latest version. If we decide to amend this Policy, we will post those changes on this page.

### DEFINITIONS:

- **“Data Protection Laws”** shall mean the laws applicable to the processing of the Users’ personal data by the Company in the relevant jurisdictions or according to the nationality of the Users or the territory they reside in.
- **“Device”** shall mean the device you are using to use our Services.
- **“Device Information”** shall mean technical information about your Device. When we refer to Device Information, this means your Device’s IP address, your internet service provider (ISP), your browser, operating system and operating system version, network information, and the version of the Games installed on your Device.
- **“Game(s)”** shall mean a game published by the Company regardless of the Platform it is distributed on or the Devices it is developed for.
- **“Location Information”** shall mean general information about the location from where you are playing the Games. We do not collect precise geolocation information, however, we may collect your Device’s IP address which can be used to identify the general location (city, province/state, country).
- **“Platform”** shall mean application stores through which Games are provided to Users. For the purposes of uniformity and for the avoidance of doubt, the term “Platform” as used in this Policy has the same meaning as the term “Application Store” in the Terms of Service.
- **“Platform ID”** shall mean an identifier assigned to your Device by the Platform when you log on to the Platforms or download the Games from the Platforms.

- **“Terms of Service”** shall mean the agreement between the Company and the User on whose basis access is granted to our Games and other Services upon the User’s acceptance, and which can be found at [https://railgodsofhysterra.com/assets/uploads/terms\\_of\\_service.pdf](https://railgodsofhysterra.com/assets/uploads/terms_of_service.pdf).
- **“Transaction ID”** shall mean the unique identifier for a transaction such as a purchase, restoration, refund or renewal in the payment systems that we may use for the Games.
- **“Website”** shall mean the website at: [railgodsofhysterra.com](http://railgodsofhysterra.com).

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

### **The purposes and legal basis of data processing:**

When you use our Services, we may collect and process technical information that may be considered personal data in certain jurisdictions.

We may collect and/or process such information to provide you the Services and the best user experience. You consent to such processing when you accept the Terms of Service and this Policy in the consent form provided in the Services.

Our legal bases for such processing are:

- the contract between you and the Company (Terms of Service);
- your explicit consent to the processing expressed through the consent forms provided in the Services;
- our legitimate interests.

Our legitimate interests are the following:

- accounting and reporting (including management reporting);
- identifying your age for legal compliance;
- studying the markets in which we offer our Services;
- making and substantiating our legal claims as well as the claims of third parties;
- providing security and fraud prevention.

We process data for the following purposes:

- to improve our Services and analyze how they are used by Users, which implies processing Location Information indicating where the Services are used, the frequency of such use, the categories of Users and other statistical and analytical information;
- to establish and maintain our relationship with you (including customer support).

The collection of this data is crucial for us to provide you the Services. Therefore, if you wish to opt-out from our processing of your data, unfortunately, the functionality of our Services available to you may be limited. Nevertheless, you have the option to require the deletion of any information we have collected.

### **The types of information we process:**

When you download a Game and start to use it, you may log in using the Platform which you downloaded the Game from. The Platforms will generate a Platform ID.

We have legitimate interests in promoting and marketing the Services, thus, we may also process the information given in the table below.

Personal Data	Legal Basis for Collection	Purpose(s)
<b>When You Play the Games</b>		
Information about how you play and use the functionality of the Services (version number of the Game you are using; frequency; length of the Game; Platform; level; in-game preferences etc.)	<p>Terms of Service</p> <p>Our legitimate interest in learning about the market we provide our Services in.</p> <p>Our legitimate interest in maintaining our relationship with you.</p>	<p>Providing you the best user experience and allowing you to save the progress in the Games.</p> <p>Providing you the Game's functionality – <i>for more information, please see the section "Functionality"</i>.</p> <p>Analysing the use of our Services – <i>for more information, please see the section "Analytics"</i>.</p>
Location Information, and Device Information	<p>Terms of Service</p> <p>Our legitimate interest in promotion and marketing of our Services.</p> <p>Our legitimate interest in learning about the market in which we provide our Services.</p> <p>Our legitimate interest in maintaining our relationship with you.</p>	<p>Analysing the use of our Services – <i>for more information, please see the section "Analytics"</i>.</p> <p>Advertising – <i>for more information, please see the section "Advertising"</i>.</p> <p>Games functionality – <i>for more information, please see the section "Functionality"</i>.</p>
Transaction ID	<p>Terms of Service</p> <p>Our legitimate interest in maintaining our relationship with you.</p> <p>Our legitimate interest in conducting the reporting.</p>	<p>Collecting and recording payments received – <i>for more information, please see the section "Payments"</i>.</p>
<b>When You Use the Website</b>		

Device Information	<p>Terms of Service</p> <p>Your consent to the processing of “cookie” files given on our Website - <i>for more information, please see section “Cookies”.</i></p> <p>Our legitimate interest in learning about the market in which we provide our Services.</p> <p>Our legitimate interest in maintaining our relationship with you.</p>	Analysing the use of our Services - <i>for more information, please see the section “Analytics”.</i>
Information about your interaction with the Website, i.e., number of times the Website was accessed by you, the exact time you accessed and exited the Website	Your consent to the processing of “cookies” used on our Website - <i>for more information, please see the section “Cookies”.</i>	Analysing the use of our Services - <i>for more information, please see the section “Analytics”.</i>
Location information, information on the search engine you used prior to accessing the Website	<p>Your consent to the processing of “cookies” used on our Website - <i>for more information, please see the section “Cookies”.</i></p> <p>Our legitimate interest in learning about the market we provide our Services in.</p>	Analysing the use of our Services - <i>for more information, please see the section “Analytics”.</i>
Statistics and preferences in regard to the content of the Website.	Your consent to the processing of “cookie” files used on our Website - <i>for more information, please see the section “Cookies”.</i>	Analysing the use of our Services - <i>for more information, please see the section “Analytics”.</i>
<b>When You Contact the Company (through the Games or the Website, or otherwise)</b>		
Name and e-mail address, Location Information, Device Information	<p>Your consent which you express by providing the personal data voluntarily and directly to us.</p> <p>Our legitimate interest in providing you with the best user experience, to pursue our legal</p>	You have the option to contact our customer support team directly by e-mail. When you do so, we will collect and use this information to respond to your requests and/or comments.

	claims or fulfil our legal obligations towards you.	
Name and e-mail address (for developers)	Your consent which you express by providing the personal data voluntarily to us.  Our legitimate interest in establishing a relationship with you.	As a developer, you have an option to contact us through our Website for other commercial or non-commercial purposes. We use your data to establish the commercial relationship with you.
Your correspondence with us, or a record of it.	Your consent which you express by filling in the contact form in the Games or on the Website, or by providing the personal data voluntarily and directly to us.  Our legitimate interest in providing you with the best user experience, to pursue our legal claims or fulfil our legal obligations towards you.	When you contact us for support or in regards to any legal or commercial issue, we may record the contents of your messages to us to answer them, and to use them to protect our rights, or assist you in protecting yours, and to fulfil our legal obligations towards you.

Below is a more detailed overview of our data processing pertaining to different purposes in the list above.

## **ANALYTICS**

### **While you play the Games**

As a publisher, it is important for us to know how users interact with our Games.

We may check the version number of the Game you are using and the operating system version running on the Device you use. This data is used for statistical purposes and will not be stored or transferred.

We enable third-party services to collect your Location Information, Device Information so that we can deliver our Services to our users, measure, analyse and improve the performance of the Games, and to continually update and develop our Games.

We may use this information to assess the difficulty level of Games, fix any bugs or errors in the Games, evaluate the demographics of our users, and to determine whether we need to support a new Device type for the Games, determine whether we need to change our marketing and distribution decisions.

The third-party services that we use put in place technical and organizational measures to ensure safe processing of personal data as stated in their privacy policies.

We ensure that the agreements we conclude with the third-party services providers contain provisions for the safe processing of your personal data and the appropriate safeguards prescribed by the applicable Data protection laws.

We enable the collection of personal data by the third-party services using their Software Development Kits (hereinafter – “SDK’s”) which contain options and safeguards to ensure the protection of personal data.

Below you may find the list of the third-party services and their privacy policies:

Third-party service	Link to the privacy policy
AppsFlyer	<a href="https://www.appsflyer.com/legal/privacy-policy/">https://www.appsflyer.com/legal/privacy-policy/</a>
GameAnalytics	<a href="https://gameanalytics.com/trust/privacy/privacy-notice">https://gameanalytics.com/trust/privacy/privacy-notice</a>

### **While you access our Website**

Our Website is directed at promoting our Games and Services and it is important for us to learn more about the Users who has shown interest in playing our Games and using our Services.

We have placed “cookies” (hereinafter – “Cookies”) on our Website that are uploaded to your Device when you access our Website and give consent to their processing (to learn more about Cookies, please see the section “Cookies”).

These Cookies may be provided and used by us to learn more about our audience and efficacy of the measures we use to draw interest to our Games and Services and their viability as business projects.

### **FUNCTIONALITY**

To provide you with the best experience in our Games, we integrate certain third-party services which may process your personal data.

We ensure that the third-party services which we integrate into the Games comply with the Personal Data Laws and that our agreements with these services providers provide for the required data protection safeguards.

Below is the list of the third-party services we use for functionality and the links to their privacy policies:

Third-party service	Link to the privacy policy
Steam	<a href="https://store.steampowered.com/privacy_agreement/">https://store.steampowered.com/privacy_agreement/</a>
Mailchimp	<a href="https://www.intuit.com/privacy/statement/">https://www.intuit.com/privacy/statement/</a>

### **PAYMENTS**

We may process the personal data pertaining to the payments only in the form of Transaction IDs provided to us by their respective Platforms. Such processing is pursuant to the terms of our business relationships with you. We use the Transaction IDs to verify the payments made in the Game and also for fraud prevention, refunds and collection of subscription fees together with the Platforms through which the Games are provided to the Users.

When you make purchases in the Games, we do not collect or have any access to your name and billing information. This information is collected and stored by your Platform or your Platform's payment processor.

## **SOCIAL MEDIA FEATURES AND TOOLS**

The Website may include integrated social media features and tools, such as the ability to log on to your social network accounts to use some of their features such as YouTube's "Share This" button. These features may collect User account ID on social networks, Location Information and Device Information.

Social media features and tools are hosted by third parties, and your interactions with these integrated social media features and tools are governed by the privacy policies of the companies providing them.

Social media service	Link to the privacy policy
YouTube	<a href="https://policies.google.com/privacy">https://policies.google.com/privacy</a>

## **COOKIES**

Our Website uses Cookies.

Cookies are small text files that can be used by websites when put on your Device when you access the websites to make a user's experience more efficient.

We use Cookies to provide the Website's functionality to you and maintain your navigation through it. We may also use Cookies to analyze our traffic. We may also share information about your use of our Website with the third-party service providers.

We may process Cookies necessary for the operation of our website based on our legitimate interest to maintain the website.

For all other types of Cookies, we need your permission. The list of types of personal data processed with the use of Cookies is given in the section "The types of information we process" of this Policy.

You may refuse to accept our Cookies on your Device at any time by activating the setting on your browser which allows you to refuse Cookies. The "Help" feature on most browsers will tell you how to prevent your browser from accepting new Cookies, how to have the browser notify you when you receive new Cookies and how to disable Cookies altogether.

To find more details about our use of Cookies, please see our [Cookie Policy](#).

## **WHAT ARE YOUR RIGHTS IN RELATION TO PERSONAL DATA?**

Under the applicable Data Protection Laws, you have certain data subject rights including the right to:

- (i). request access to and rectification or erasure of your personal data;
- (ii). obtain restriction of processing or to object to the processing of your personal data;
- (iii). ask for a copy of your personal data to be provided to you, or a third party, in a digital (machine readable) format;
- (iv). lodge a complaint; if you believe your rights under the GDPR have been violated, you may lodge a complaint with the supervisory authority of your country of residence;
- (v). object to our processing of your personal data if:
  - you believe that we no longer have the legitimate purpose for processing;
  - the personal data is processed for direct marketing purposes;
  - you believe that your data is processed by automated means.

You may also exercise any rights provided by the applicable Data Protection Laws. If you wish to exercise one of the above-mentioned rights, please contact us at [support@vortex.game](mailto:support@vortex.game). We would need to identify the requestor so we may ask for additional information.

**Transfer of Personal Data Outside of the EEA.** Because we may store the data we collect outside the EEA, and some of the third-party services providers we engage are located in countries outside of the EEA, your personal data may be transferred to other countries that may not offer the same level of data protection as the laws of your country of residence.

We are obliged to store your personal data in such jurisdictions ensuring we can provide all the necessary security mechanisms for protecting your personal data, including data encryption (if available) and taking obligations under standard contractual clauses.

While we and the providers of the third-party services take all the reasonable and necessary measures aimed at protecting your personal data against unauthorized access by third parties, we shall inform you about the possible risks of such storage of your personal data in jurisdictions outside the EEA under Art.49(1)(a) of the GDPR.

Such possible risks include:

- (1) Existence of different rules and regulations on personal data processing in such jurisdictions that are different from the GDPR. However, we provide personal data subjects with the level of guarantees granted to personal data subjects by the GDPR.
- (2) State authorities of the third country, or other special governmental services obtaining access to your personal data. However, such access can only be obtained by these authorities in accordance with the applicable law of that country and only if there are legal grounds for obtaining the access. We undertake the obligation not to disclose information in the absence of such legal grounds and only to the minimum required extent.
- (3) Efforts of illegitimate access to the personal data. We take all the necessary measures to prevent such efforts and do not allow unauthorized access to your personal data.



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

### **HOW TO DELETE YOUR DATA?**

If you wish to opt-out from our processing of your personal data and delete your data, you should contact us at [support@vortex.game](mailto:support@vortex.game) with a request to stop the processing and delete your data. We may process your request for 30 days from the date of its receipt by us.

We would need to identify the requestor so we may ask for additional information. After said deletion, all of your in-Game progress will be lost, as well as the purchases and account details.

### **HOW LONG DO WE KEEP YOUR PERSONAL DATA?**

When playing the Games, we will keep your processed personal data for a period no longer than one year in order to allow us to conduct analysis of our Games' use. The aggregate statistical information based on the Users' interaction with our Services may be stored in an anonymized form for three years.

If the Data Protection Laws prescribe to store the personal data for longer or shorter periods, we will store the personal data for the period that is necessary to comply with the effective legal requirements.

### **IS YOUR PERSONAL INFORMATION SECURE?**

The security of your personal information is important to us.

We follow generally accepted industry standards to protect your information both during transmission and once it is received. However, no method of transmission over the Internet, or method of electronic storage, is 100% secure. Therefore, we cannot guarantee its absolute security.

While no security system is completely secure, we and our partners implement appropriate security measures to protect against unauthorized access or disclosure of the information collected by us. For the Company, this includes, but is not limited to, ensuring that all of your information is disclosed only on a "need to know" basis and ensuring that all information collected by the Company is done so via secured connections, protected and encrypted by industrial grade security software to guard against unauthorized access. Our employees and third parties that we share your information with are obliged to keep the confidentiality of your data.

### **WILL YOUR DATA BE TRANSFERRED TO THIRD PARTIES?**

By accepting this Policy, you agree that we may transfer your information to the abovementioned third parties. We conduct such transfer on a contractual basis (to perform the Terms of Service) and on the basis of our legitimate interest to learn about the market in which we work.

### **Business transfers**

To provide you with a better user experience and fulfill the Terms of Service executed between you and us, we may implement third-party services in our Services whose providers may process your personal data for the purposes of assisting us in providing you the Services.

We ensure that the agreements we execute with the providers of the third-party services provide for the level of personal data protection that is not lower than under this Policy and correspond to the requirements of the applicable Data Protection Laws.

As we continue to develop our business, we may reorganize as a business entity, acquire entities, subsidiaries, or business units, or enter into joint ventures with third-parties. In any of these types of transactions, any information you provide may be one of the transferred business assets. In the event that all or substantially all of our assets are acquired or we merge with a third-party, your information will likely be one of the transferred assets. You understand and agree that we reserve the right to transfer any information collected from you in the case of any such transfer. In such event, we will use reasonable efforts to notify you before information about you is transferred and becomes subject to a different privacy policy.

### **Legal transfers**

We may disclose information you provide to respond to subpoenas, court orders, requests from authorities in any procedures, and to establish/exercise our legal rights. We may also disclose your information to defend against legal claims when we believe that disclosure is necessary to protect our rights, protect your safety or the safety of others, investigate fraud, or respond to a government request. We may share your information in order to investigate, prevent or take action regarding illegal activities, suspected fraud, and situations involving potential threats to the physical safety of any person, violations of our Terms of Service, or as otherwise required by law.

### **Transfers from third parties**

We may receive personal data from third party sources, e.g., from Platforms (for example, to verify payments).

By accepting this Policy, you consent to our processing of the personal data provided to us by the third parties. In the case it exceeds the types of data we process on our own under this Policy and in the absence of a suitable legal basis for us to process such data, we will contact you and request your consent.

### **Third parties and their privacy policies**

Please be aware that if you follow the links to third-party websites or applications, you might share your personal data with such websites or applications. The Company does not control collection of personal data by third-party websites or applications, and we encourage you to read their privacy policies.

### **PROCESSING OF CHILDREN'S PERSONAL DATA**

The Services are intended for general audiences, and the Company does not knowingly collect any personal data from children.

If you are under 18 years old, you should review this Privacy Policy with the assistance of your parent or guardian. In this case it is a parent or a legal guardian that accepts the Privacy Policy on your behalf. All actions of the person under 18 years old will be attributed to a parent or a legal guardian.

If you are a parent or guardian, we recommend that you monitor the play and online activities of your children and become familiar with the parental control options that may be provided by us and / or our partners.

If a parent or guardian becomes aware that his or her child has provided us with information without their consent, he or she should contact us. We will delete such information from our files within a reasonable time period.

## **ABOUT US**

DIGITAL VORTEX ENTERTAINMENT LTD

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