

FLUX POINT STUDIOS PRIVACY POLICY
(Last Updated August 11, 2024)

Flux Point Studios, Inc. (<https://fluxpointstudios.com>), as well as any present or future affiliated or related application, website, or company (collectively "FPS" or "we"), recognizes the importance of your privacy. This privacy policy tells you what personal information we collect and how we use it. FPS may change this privacy policy from time to time, in its sole discretion, as discussed in section 7 below. By using any game, website, application, software, tool, or data provided by or accessed through FPS (collectively the "Service"), you certify that you understand and agree to the terms of this privacy policy.

1. What Information Do We Collect?

a. *Personally Identifiable Information:* We only collect personally identifiable information when you specifically and knowingly provide it to us, for example when you provide personal information such as your e-mail address, street address, name, phone number, images containing personal information, or other information. Personally identifiable information includes, where applicable, "personal data", "personal information" and/or "sensitive personal information" each as defined in applicable law. We ask that you not send us, and you do not disclose, any sensitive personal data (e.g., social security numbers, information related to racial or ethnic origin, political opinions, religion or other beliefs, health, biometrics or genetic characteristics, criminal background or trade union membership). We collect and use your personally identifiable information to provide the Service, customer service or updates or information you request.

This privacy policy does not apply to the privacy practices of third parties that we do not own or control, such as any third party service providers, insurers, websites, services, applications, online resources to which the Service may link or otherwise reference (collectively "Third Party Services" or "TPS").

You may always choose not to provide personally identifiable information, but if you so choose, certain parts of the Service may not be available to you. To use the Service, you will have to provide your personally identifiable information. This consent provides us with the legal basis we require under applicable law to process and share your data. You maintain the right to withdraw such consent at any time. If you do not agree to our use of your personal data in line with this privacy policy, please do not use our Service.

b. *Non-Personally Identifiable Information:* We may collect and aggregate information which does not permit you to be identified or identifiable either by itself or in combination with other information available to a third party. This non-personally identifiable information may include a website that referred you to us, your IP address, browser type and language, hardware types, geographic location, and access times and durations. We also may collect navigational information, including information about the Service content or pages you view, the links you click, and other actions taken in connection with the Service.

c. *Cookies, Pixels and Local Storage:* We also may collect certain other information automatically when you use the Services, such as the following:

- **Browser and Device Information.** Certain information may be automatically collected by most browsers or devices, such as information about user devices (such as IP addresses and MAC addresses), operating systems, and browsers.

- **Information Stored in Cookies.** The Service may also use available web-based technologies to collect personal information, such as cookies, pixels, or web beacons. Cookies are pieces of information stored directly on users' computers or devices. Cookies allow us to collect information such as browser type, time spent on the online services, pages visited, referring URL, and other traffic and usage data. We may also use cookies for purposes such as determining what features interest our users, revising our site features or operations, and as further described below.

- **Pixel Tags and Log Files.** The Service may also use other tracking systems such as log files and pixel tags. For example, pixel tags, sometimes called web beacons, are similar in function to a cookie and can tell us certain information like what content has been viewed.

- **Information Collected in Connection with Analytics Technology:** We may use various technologies to learn more about how visitors use the Service, such as Google Analytics. The information generated by the cookies about your use of the Service includes your IP address. If you so choose, you may be able to opt out by turning off cookies in the preferences settings in your browser. For more information on Google Analytics, including how Google Analytics collects, uses, and discloses information, refer to the following page: www.google.com/policies/privacy/partners/. We may also use other technologies to monitor your activities on the Services.

2. What Do We Do With The Information That We Collect?

Except as disclosed in this privacy policy, FPS does not share your personal information with any outside parties. FPS will use the personally identifiable information directly provided by you solely for the purpose for which you have provided it, which may include:

- to operate, maintain, and improve the Services;
- to share with third parties when authorized by you;
- to manage your account, including to communicate with you regarding your account;
- to operate and administer any games, events, or promotions you participate in or on or through any site or application;
- to respond to your comments and questions and to provide customer service;
- to send you information including technical notices, updates, security alerts, and support and administrative messages;
- with your consent, to send you marketing e-mails about new games, features, upcoming events, and other news, including information about products and services offered by us and our affiliates. You may opt-out of receiving such information at any time: such marketing emails tell you how to "opt-out." Please note, even if you opt out of receiving marketing emails, we may still send you non-marketing emails. Non-marketing emails include emails about your account with us (if you have one) and our business dealings with you;
- to process any payments you make to or through the Services; and
- as we believe necessary or appropriate (a) to comply with applicable laws; (b) to comply with lawful requests and legal process, including to respond to requests from public and government authorities; (c) to enforce our privacy policy; and (d) to protect our rights, privacy, safety or property, and/or that of you or others.

We may share this information with service providers who perform services on our behalf, such as processing information requests or displaying stored data you access, to assist us in marketing, to conduct audits, etc. Those companies will be permitted to obtain only the personal information they

need to provide the service they provide, will be required to maintain the confidentiality of the information, and will be prohibited from using it for any other purpose.

We will only retain your personally identifiable information as long as reasonably required to provide you with the Services unless a longer retention period is required or permitted by law (for example, for regulatory purposes).

3. Your Rights

Consistent with the laws applicable to you, you may exercise one or more of the rights described in this section. Please note that we may ask you to verify your identity and location before taking action on your request.

- a. **Rectification of Inaccurate or Incomplete Information.** You have the right to ask us to correct inaccurate or incomplete personal information about you.
- b. **Data Access and Portability.** In some jurisdictions, applicable law may entitle you to request certain copies of your personal information held by us. You may also be entitled to request copies of personal information that you have provided to us in a structured, commonly used, and machine-readable format and/or request us to transmit this information to another service provider (where technically feasible).
- c. **Data Retention and Erasure.** We generally retain your personal information for as long as necessary to provide you the Service and to comply with our legal obligations. In certain jurisdictions, you can request to have all your personal information deleted entirely. Please note that if you request the erasure of your personal information:
 - We may retain some of your personal information as necessary for our legitimate business interests, such as fraud detection and prevention and enhancing safety.
 - We may retain and use your personal information to the extent necessary to comply with our legal obligations. For example, for tax, legal reporting and auditing obligations.
 - Because we maintain the Service to protect from accidental or malicious loss and destruction, residual copies of your personal information may not be removed from our backup systems for a limited period of time.
- d. **Withdrawing Consent and Restriction of Processing.** If we are processing your personal information based on your consent you may withdraw your consent at any time by sending a communication to us specifying which consent you are withdrawing.
- e. **Objection to Processing.** In some jurisdictions, applicable law may entitle you to require us not to process your personal information for certain specific purposes (including profiling) where such processing is based on legitimate interest. If you object to such processing we will no longer process your personal information for these purposes unless we can demonstrate compelling legitimate grounds for such processing or such processing is required for the establishment, exercise or defense of legal claims.

Where your personal information is processed for information-sharing purposes, you may, at any time ask us to cease processing your data for these information-sharing purposes by sending an e-mail to support@fluxpointstudios.com.

f. Lodging Complaints. You have the right to lodge complaints about our data processing activities by filing a complaint with us at contact@fluxpointstudios.com or with a supervisory authority.

4. Children's Policy

The FPS [Terms of Service](#) provide that Users must be (i) 18 or older, or (ii) 13 and older if either (a) an emancipated minor, or (b) he/she possess legal parental or guardian consent. FPS does not knowingly collect personally identifiable information from users under 13; in the event that we learn that we have collected any personal information from a user under the age of 13, we will attempt to identify and delete that information from our database.

Commented [CB1]: Hyperlink when available

5. International Usage

The Service is owned by FPS and may be accessed in the United States and abroad. For data protection purposes, FPS is the controller and, unless otherwise noted, is also the processor of data. Information collected may be retained, and may be stored, processed, accessed, and used in jurisdictions whose privacy laws may be different and less protective than those of your home jurisdiction. If you are located outside of the United States, please note that the information you provide to us may be transferred to the United States. By using the Service, application and/or website, you consent to such transfer. We will take reasonable steps to ensure that your data is treated securely and in accordance with this privacy policy.

6. Security and Encryption

We follow generally accepted industry standards to help protect your personal information. No method of transmission over the internet, mobile technology, or method of electronic storage, is completely secure. Therefore, while we endeavor to maintain physical, electronic, and procedural safeguards to protect the confidentiality of the information that we collect online, we cannot guarantee its absolute security. Our Service has security measures in place designed to protect against the loss, misuse and alteration of the information under our control. If you have reason to believe that your interaction with us is no longer secure (for example, if you feel that the security of any account you might have with us has been compromised), please immediately notify us of the problem by contacting us at support@fluxpointstudios.com.

7. Changes to This Policy

We reserve the right to change the terms of this privacy policy at any time. When we make changes, we will revise the "last updated" date at the top of the policy. If there are material changes to this statement or in how we will use your personal information, we will notify you by prominently posting a notice of such changes here or on our home page, or by sending you an email. We encourage you to review this policy whenever you visit one of our websites or applications.

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