

# Privacy Policy

Last Updated: July 2, 2020

This Privacy Policy sets forth our policy with respect to information, including personally identifiable information ("Personal Data"), that is collected from General Users (as defined here) and Tournament Organizers (as defined here) through use of the Services (as defined here).

## Information We Collect:

When you interact with us through the Services, we may collect Personal Data and other information from you, as further described below:

### 1. Personal Data:

**Tournament Organizers:** We collect Personal Data from you when you voluntarily provide such information to the Services, such as when you register for access to the Services as a Tournament Organizer, contact us with inquiries, respond to one of our surveys, or use certain Services. The Personal Data we may collect includes without limitation your name, address, email address and other personally identifiable information. In some cases we may collect your credit card information (e.g., your credit card number and expiration date, billing address, etc.), some of which may constitute Personal Data, to secure certain payments. In addition, if you use our payment processing services, we will collect financial information from you (e.g., your bank account information, an address to send checks, and / or your account information for online payment providers like Paypal and Stripe) as necessary to facilitate payments and information required for tax purposes (e.g., your taxpayer identification number).

**General Users:** We collect Personal Data from you when you voluntarily provide such information to the Services (including event registration pages within the Services), such as when you register for access to the Services (whether as a Tournament Organizer or otherwise), register for an event as an attendee, contact us with inquiries, respond to one of our surveys or use certain parts of the Services. The Personal Data we may collect includes without limitation your name, address, email address, zip code and other personally identifiable information. If you register for a paid event, make a purchase, or participate in a donation drive, we will collect financial information from you (e.g., your credit card number and expiration date, billing address, etc.) some of which may constitute Personal Data. In addition, Tournament Organizers can set up event registration pages to collect virtually any information from General Users in connection

with registration for a Tournament Organizer's event listed on the Services. If a Buyer voluntarily provides that information in connection with registration for an event or otherwise, it will be available to us and will be held by us in accordance with this Privacy Policy. In addition, such information will be delivered to the Tournament Organizer of the applicable event in accordance with "Our Disclosure of Information That We Collect: Tournament Organizers" below.

Privacy Policy Links: We make an effort to provide a link to this Privacy Policy in the footer of every page on our websites, including those pages on which Personal Data is collected, and to make it available in all of our software.

## **2. Non-Personal Data:**

Non-Identifiable Data: When you interact with the Services, we collect certain personally non-identifiable information ("Non-Personal Data"). The Non-Personal Data we collect includes without limitation Internet Protocol (IP) addresses, Internet browser type, other characteristics of your device and software, domain names of your Internet Service Provider, your approximate geographic location, a record of your usage of the Services, the time of your usage and aggregated Personal Data that cannot be used to specifically identify you. Such information, which is collected passively using various technologies, cannot, in and of itself, be used to specifically identify you. We also collect Non-Personal Data (including, without limitation, of the type set forth above) from third parties. The information we collect from third parties may be combined with the information we collect.

Aggregated Personal Data: In an ongoing effort to better understand and serve the users of the Services, we often conduct research on our customer demographics, interests and behavior based on Personal Data and other information that we have collected. This research may be compiled and analyzed on an aggregate basis and this aggregate information does not identify you personally and therefore is considered and treated as Non-Personal Data under this Privacy Policy.

## **Our Use of Information That We Collect:**

### **1. Personal Data:**

We use the Personal Data we collect in a manner that is consistent with this Privacy Policy. We may use the Personal Data as follows:

- **Specific Reason:** If you provide Personal Data for a certain reason, we may use the Personal Data in connection with the reason for which it was provided. For instance, if you contact us by e-mail, we will use the Personal Data you provide to answer your

question or resolve your problem and will respond to the email address from which the contact came.

- **Access and Use:** If you provide Personal Data in order to obtain access to or use of the Services or any functionality thereof, we will use your Personal Data to provide you with access to or use of the Services or functionality and to monitor your use of such Services or functionality. For instance, if you supply payment information (e.g., bank account or credit card information) to the Services for the purpose of purchasing products as a buyer or processing payments as a Tournament Organizer, we will use that information to facilitate such purchase or process such payments.
- **Internal Business Purposes:** We may use your Personal Data for internal business purposes including without limitation to help us improve the content and functionality of the Services, to better understand our users, to improve the Services, to protect against, identify or address wrongdoing, to enforce our Terms of Service, to manage your account and provide you with customer service, and to generally manage the Services and our business.
- **Marketing:** We may use your Personal Data to contact you in the future for our marketing and advertising purposes, including without limitation to inform you about services or events we believe might be of interest to you, to develop promotional or marketing materials and provide those materials to you, and to display content and advertising on or off the Services that we believe might be of relevance to you. In particular, Tournament Organizers should note that we may use information we receive or collect regarding General Users (including without limitation attendees via a Tournament Organizer's event registration page) in accordance with the terms of this Privacy Policy, including in the manner set forth above.
- **Tournament Organizer Emails:** We allow Tournament Organizers to use our email system to contact General Users for their current and past events, so you may receive emails from our system that originate with such Tournament Organizers.

If we intend to use any Personal Data in any manner that is not consistent with this Privacy Policy, you will be informed of such anticipated use prior to or at the time at which the Personal Data is collected or we will obtain your consent subsequent to such collection but prior to such use.

## **2. Non-Personal Data:**

Because Non-Personal Data cannot be used to personally identify you, we may use such information for any lawful purpose.

# **Our Disclosure of Information That We Collect:**

## **1. Personal Data:**

We are not in the business of selling your Personal Data. We consider this information to be a vital part of our relationship with you. Therefore, we will not sell your Personal Data to third parties, including third party advertisers. There are, however, certain circumstances in which we may disclose, transfer or share your Personal Data with certain third parties without further notice to you, as set forth below:

**Business Transfers:** As we develop our business, we might sell or buy businesses or assets. In the event of a corporate sale, merger, reorganization, dissolution or similar event, Personal Data may be part of the transferred assets. You acknowledge and agree that any successor to or acquirer of The Company (as defined here) or its assets will continue to have the right to use your Personal Data and other information in accordance with the terms of this Privacy Policy.

**Subsidiaries and Affiliates:** We may also share your Personal Data with our subsidiaries and/or affiliates for purposes consistent with this Privacy Policy. Our subsidiaries and affiliates will be bound to maintain that Personal Data in accordance with this Privacy Policy.

**Agents, Consultants and Related Third Parties:** We, like many businesses, sometimes engage other companies to perform certain business-related functions. Examples of such functions include mailing information, order fulfillment, fraud prevention, maintaining databases and processing payments. When we engage another company to perform such functions, we may provide them with information, including Personal Data, in connection with their performance of such functions.

**General Users:** When you register for or donate to an event or related fundraising page on the Services, you consent to our providing your Personal Data to the Tournament Organizers of such event and related fundraising page, if applicable. These Tournament Organizers are not bound to treat your Personal Data in accordance with this Privacy Policy. You agree that we are not responsible for the actions of these Tournament Organizers with respect to your Personal Data. It is important that you review the applicable policies of the Tournament Organizers of an event (and the related fundraising page, if applicable) before providing Personal Data or other information in connection with that event or related fundraising page.

**Facebook and Other Third Party Connections:** You can connect your account to your accounts on third party services like Facebook, in which case we may collect, use, disclose, transfer and store information relating to your account with such third party services in accordance with this Privacy Policy. For example, if you connect with Facebook, we store your Facebook id, first name, last name, email, location, friends list and profile picture and use them to connect with your Facebook account to provide certain functionality on the Services, like recommending events that your Facebook friends are interested in and sharing the events you are interested in with certain groups of people like your Facebook friends.

Legal Requirements: We may disclose your Personal Data if required to do so by law (including, without limitation responding to a subpoena or request from law enforcement, court or government agency) or in the good faith belief that such action is necessary (i) to comply with a legal obligation, (ii) to protect or defend our rights, interests or property or that of third parties, (iii) to prevent, investigate, or identify possible wrongdoing in connection with the Services, (iv) to act in urgent circumstances to protect the personal safety of users of the Services or the public, or (v) to protect against legal liability.

## **2. Non-Personal Data:**

Because Non-Personal Data cannot be used to personally identify you, we may disclose, transfer or share Non-Personal Data for any lawful purpose.

# **Cookie Policy**

## **1.1 Application.**

This Cookie Policy sets forth our policy with respect to information, including information that can be associated with a specific person and could be used to identify that person ("Personal Data"), that is collected from Users through cookies, pixel tags, local shared objects, web storage and other similar technologies.

## **1.2 Consent.**

By using the Services, you are consenting to the use of the technologies described in this Cookie Policy to collect both Personal Data and non Personal Data and to the storage of information on your device or web browser as described in this Cookie Policy.

## **1.3 Cookies and Tracking technologies**

A cookie is a piece of information that is placed on your web browser when you access and/or use the Services that stores text and which can later be read back by the Services or third parties. Cookies are used to recognize your browser and you as a unique User. Cookies may be session cookies (i.e., last only for one browser session) or persistent cookies (i.e., continue on your browser until they are affirmatively deleted). You can manage cookies through your web browser's option settings and through those settings you may be able (a) to receive notifications when you are receiving new cookies; (b) to disable cookies; or (c) to delete cookies. Please refer to your web browser's help section for information on how to do this.

## **1.4 Pixel Tags (also known as Clear GIFs or Web Beacons)**

A pixel tag is a tiny invisible tag or graphic placed on certain parts of the Services or other websites, in emails or in certain other downloadable content, but not on your computer, mobile

device or browser, except to the extent that you download the content that contains such tags. Pixel tags do not store information on your computer, mobile device or browser (although they are occasionally downloaded to your computer if contained in an email or other downloadable content) so cannot be managed by you except by deleting the content in which the tag is contained.

### **1.5 Local Shared Objects (also known as Flash Cookies).**

A local shared object is similar to a cookie, except it is stored on your computer or mobile device, instead of your browser, and it can store more than just text. Local shared objects are stored on your computer or mobile device. To learn how to manage privacy and storage settings for local shared objects, click [here](#).

### **1.6 Essential use of these technologies**

We use these technologies and allow third parties to use these technologies in a way that is essential for the operation of our Services or parts of our Services. For example, we may use cookies to determine where to route your traffic to effectively distribute the Site workload across numerous servers.

### **1.7 Performance/Analytics use of these technologies**

We use these technologies and allow third parties to use these technologies to monitor our Services and to analyze how you use our Services. For example, we may place cookies that allow us (a) to measure the time of your requests to our servers and our responses; (b) to A/B test new features; (c) to record statistics about site usage; (d) to track your activities on the Services; and (e) to track the places from which you come to the Services. We may also use third party cookies to collect information about visitor behavior on our Services for these Performance/Analytics purposes.

### **1.8 Functional use of these technologies**

We use these technologies and allow third parties to use these technologies to allow us to provide certain functionality on the Services and to remember your preferences

### **1.9 Advertising use of these technologies**

We may use these technologies and allow third parties to use these technologies to deliver advertisements to you both on and off the Services. By using these technologies we aim to better tailor these advertisements to your interests. Sometimes this is called online behavioral, interest based, or retargeted advertising. For more information on these types of ads, or to stop use of tracking technologies for these purposes, go to [www.aboutads.info](http://www.aboutads.info) or [www.networkadvertising.org](http://www.networkadvertising.org).

## Your Choices:

You have several choices available when it comes to your Personal Data:

### **Limit the Personal Data You Provide:**

You can use the Services without providing any Personal Data or with limiting the Personal Data you provide. If you choose not to provide any Personal Data or limit the Personal Data you provide, you may not be able to use certain functionality of the Services. For instance, in order to register for an event, your name and email address will be required.

### **Opt Out:**

You can "opt out" of receiving newsletter emails by sending an email to [hello@spire.gg](mailto:hello@spire.gg) with a request to that effect. You may modify your choices at any time. In the event that a Tournament Organizer uses our system to email you, you will be able to "opt out" of receiving those communications as well. Please note that if you unsubscribe from receiving a particular Tournament Organizer's emails, you will no longer receive emails from the particular Tournament Organizer that are sent through our system (but you may still receive emails sent by that Tournament Organizer through means other than our system), however, you will still receive [spire.gg](https://spire.gg) communications and communications from other Tournament Organizers whose events you have attended or are registered to attend or who have otherwise obtained your email address. Likewise, if you unsubscribe from our communications you will continue to receive communications from Tournament Organizers. You may have to unsubscribe from multiple emails before you stop receiving all communications. You can also unsubscribe from receiving all Tournament Organizer emails sent through our system. It may take up to 72 hours for us to process an unsubscribe request. Note that you cannot unsubscribe from update communications about the Services. You can stop receiving Service communications only by contacting us and closing your account. By electing to stop receiving all communications from us or through our system you will no longer receive any updates on your account or on events you are registered to attend or have previously attended, including communications regarding refunds. We do not recommend that you do this unless you plan to no longer use the Services, are not currently registered for an event, are not currently organizing an event and will have no need to receive further communications from us or through our system. Even after you opt out of all communications, we will retain your Personal Data and Non-Personal Data in accordance with this Privacy Policy, however, we will no longer use it to contact you. However, Tournament Organizers who have received your Personal Data in accordance with this Privacy Policy may still use that Personal Data to contact you in accordance with their own privacy policies, but they may not use our system to do so.

### **Do Not Track:**

We currently do not participate in any "Do Not Track" frameworks that would allow us to respond to signals or other mechanisms from you regarding the collection of your Personal Data.

**Exclusions:**

This Privacy Policy does not apply to any Personal Data collected by us other than Personal Data collected through the Services. This Privacy Policy shall not apply to any unsolicited information you provide to us or another user or visitor through the Services or through any other means. This includes, but is not limited to, information posted to any public areas of the Services, such as bulletin boards, any ideas for new products or modifications to existing products, claim or demand letters, Digital Millennium Copyright Act notices, and other unsolicited submissions (collectively, "Unsolicited Information"). All Unsolicited Information shall be deemed to be non-confidential and we shall be free to reproduce, use, disclose, distribute and exploit such Unsolicited Information without limitation or attribution.

**Children's Privacy:**

IF YOU ARE UNDER 13 YEARS OF AGE, THEN PLEASE DO NOT USE OR ACCESS THE SPIRE.GG SERVICES AT ANY TIME OR IN ANY MANNER.

spire.gg does not knowingly collect or maintain personal information from persons under 13 years-of-age. If spire.gg learns that personal information of persons under 13-years-of-age has been collected on or through the spire.gg Services, spire.gg will take appropriate steps to delete this information.

If you are the parent or legal guardian of a child under 13 who has become a spire.gg Services member, then please contact spire.gg at [hello@spire.gg](mailto:hello@spire.gg) with subject line "privacy" to have that child's account terminated and personal information deleted.

**Links to Other Web Sites:**

This Privacy Policy applies only to the Services. The Services may contain links to other websites not operated or controlled by us (the "Third Party Sites"). The policies and procedures we described here do not apply to the Third Party Sites. The links from the Services do not imply that we endorse or have reviewed the Third Party Sites. We suggest contacting those sites directly for information on their privacy policies.

**Storage and Security:**

We may store Personal Data itself or such information may be included in databases owned and maintained by our affiliates, agents or service providers. We take what we believe to be reasonable steps to protect the Personal Data provided via the Services from loss, misuse, unauthorized access, inadvertent disclosure, alteration, and destruction. However, no Internet or e-mail transmission is ever fully secure or error free. In particular, e-mail sent to or from the Services may not be secure. Therefore, you should take special care in deciding what information you send to us via e-mail. Please keep this in mind when disclosing any Personal Data via the Internet.

**Where Information is Processed:**

spire.gg and its affiliates are based in the United States. No matter where you are located, you consent to the processing and transferring of your information in and to the U.S. and other countries. The laws of the U.S. and other countries governing data collection and use may not be as comprehensive or protective as the laws of the country where you live.

**International Privacy Laws:**

If you are visiting our website or using one of our software applications from outside the United States, please be aware that you are sending information (including Personal Data) to the United States where our servers are located. We will hold and process your Personal Data and Non-Personal Data in accordance with privacy laws in the United States and this Privacy Policy. Please note that privacy laws in the United States may not be the same as, and in some cases may be less protective than, the privacy laws in your country.

**Changes to This Privacy Policy:**

The Services and our business may change from time to time. As a result, at times it may be necessary for us to make changes to this Privacy Policy. We reserve the right, in our sole discretion, to update or modify this Privacy Policy at any time. Modifications to this Privacy Policy will be posted to the spire.gg website with a change to the "Last Updated" date at the top of this Privacy Policy. Please review this policy periodically, and especially before you provide any Personal Data. This Privacy Policy was last updated on the date indicated above. Your continued use of the Services following the effectiveness of any Modifications to this Privacy Policy constitutes acceptance of those Modifications. If any Modification to this Privacy Policy is not acceptable to you, your sole remedy is to cease accessing, browsing and otherwise using the Services.

**Access to Information:**

Tournament Organizers may access and update their Personal Data being stored by us by logging in and visiting their account management page. Tournament Organizers may also contact us directly at the address specified below with respect to Personal Data that is not accessible through the Services. General Users who do not have a formal account with spire.gg can create an account by signing up. After signing up, you can update and access your Personal Data on the My Account page. General Users can also contact us directly with requests to update Personal Data at the address specified below. We will take reasonable steps to respond to requests relating to Personal Data within 30 days, however, we may reject requests that we find to be unreasonable (i.e., require disproportionate efforts or material changes to our information systems), impractical or abusive (i.e., repetitive requests, requests made in bad faith, requests that would compromise third party information). Note that you may not have access to or the ability to update Non-Personal Data, much of which is held in aggregate form.

**Access to personal Information:**

If you would like to obtain a copy of your personal information stored on spire.gg, please send an email to [hello@spire.gg](mailto:hello@spire.gg) with the subject line "Access to personal data". You will be sent a link to access your data within 30 days of your request.

**Retention and Deletion:**

If you would like to close your account and delete your profile information on spire.gg you may contact [hello@spire.gg](mailto:hello@spire.gg). In your request, please include your email address, name, address, and telephone number and specify any other relevant information. If you close your account, spire.gg may retain other information about you for the activities described in this Privacy Policy, or as permitted or required by applicable law.

Tournament Organizers agree to comply with any deletion requests from spire.gg for data directly or indirectly obtained from spire.gg and are solely responsible for ensuring data deletion requests are completed with due diligence and in a timely manner.

We generally retain personal data for so long as it may be relevant to the purposes identified herein. To dispose of personal data, we may anonymize it, delete it or take other appropriate steps. Data may persist in copies made for backup and business continuity purposes for additional time.

**Contacting spire.gg:**

Please also feel free to contact us if you have any questions about this Privacy Policy or our information practices. You may contact us by writing to [hello@spire.gg](mailto:hello@spire.gg).