

# VSMS, App, Games, EXER GLOBAL PRIVACY NOTICE

**Last updated: December 18, 2024**

This Privacy Notice explains who we are, how we collect, share and use personal information about you, and how you can exercise your privacy rights.

We are Exer Global Ltd, maker of EXER GLOBAL Apps Games. For details about how to contact us, see the ["How To Contact Us"](#) section below.

This Privacy Notice applies to personal information that we collect through our games, mobile applications and other products ("Games").

## 1. WHAT PERSONAL INFORMATION DOES EXER GLOBAL?

The personal information we may collect about you through the Services falls into the following general categories:

### 1.1. Information that you provide voluntarily

Certain parts of our Services may ask you to provide personal information voluntarily. For example, we may ask for certain information in order to register an account with us, to begin playing Games, to subscribe to marketing communications from us, and/or to submit enquiries to us, such as:

- your name, email address or other contact details
- any information you submit to our customer service team in the Game or via email

The personal information that you are asked to provide, and the reasons why you are asked to provide it, will be explained to you when we ask you to provide your personal information.

### 1.2 Information we collect automatically

When you use our Services, we may also collect certain information automatically from you and/or your device which may be considered personal information under applicable data protection laws, such as:

- Your Service communications (e.g. in-game chats and messages with other players)
- Data and analytics about your use of our Services (e.g. in-game play progress, levels, games played, session length, preferred settings, which in-game adverts you may have viewed, in-game preferences or just game preferences, which friends you connect with, the means by which you were referred to our Services)
- Your IP address and device identifiers such as your Advertising ID, Device ID numbers (for more see here "Advertising IDs and Device IDs")

- Your device type and the operating system that you use
- General geographic location (e.g. country or city location) based on your IP address
- GPS location, with your consent

“*Advertising ID*” means the Apple Identifier for Advertisers (“IDFA”) on Apple, and Google Advertising Identity (“GAID”). These are unique identifiers for mobile devices that advertisers use for interest-based advertising. They are consistent across all apps and thus allow cross-app tracking. On Apple, you can opt out by choosing the “limit ad tracking” option in the privacy settings. On Google Android, you can opt out by choosing the “Opt out of interest based ads.” Advertising IDs are non-permanent, non-personal identifiers uniquely associated with your device. Similar technologies include tracking pixels within ads. These technologies allow companies (including marketers and advertisers) to recognize your device when you use websites and applications.

“*Device identifier / information*” means device type, device model, device manufacturer, device operating system and language, or other technical data like screen size, processor, or a combination of this data, available from a device for a developer to check the device’s compatibility with a particular application.

Some of this information may be collected using cookies and/or similar technologies (such as “software development kits, or “SDKs”), as explained in the [“Cookies and similar tracking technology in websites”](#) section below.

### 1.3 Information we obtain from third party sources

(a) **Information from social media platforms.** You may choose to connect to our Services via your social media account. The exact information we receive from you will depend on your social media privacy settings, but it will typically include your basic public profile information, such as:

- your username
- profile picture
- age range
- gender
- your friends playing the same Game

Typical uses include updating game progress on multiple devices you may own so that you can continue your progress using multiple devices. In addition, we may show your Facebook friends in the Game and show your public Facebook profile name and picture in Game leaderboards and in your Game profile.

Special note about EXER GLOBAL Apps Games Friends: In EXER GLOBAL Apps Games Friends connecting, with Facebook is a basic feature of the game. Disconnecting from Facebook will not remove any server-stored data relating to EXER GLOBAL Apps Games Friends. To delete all Game data linked to your Facebook account, you can request “delete personal information” from the Terms & Privacy page while logged into your Facebook account. The purpose of disconnecting from Facebook is to switch to another Facebook account with different game progress.

(b) **Third party service providers.** We may receive personal information about you from third-party sources. We may get your personal information, for example, when you installed our Game or when, prior to installation, you click on an advertisement for the Game (see “Third Parties” section below for further detail).

(c) **Advertising partners.** From time to time, we may also receive personal information about you from other third-party sources. For example, if you clicked on an advertisement directing you to one of our Services (such as an ad for one of our Games in another publishers' game), we will be provided with information about which ad network and advertising campaign the install originated from (See also "Advertising" below).

#### **1.4 No special categories of information**

We do not request or intend to collect any "special categories of information" such as any information on health, race, religion, political opinions or philosophical beliefs, sexual preferences or orientation. Please, be cautious when sharing this information about yourself (or others) in our forums.

## **2. HOW WE USE YOUR PERSONAL INFORMATION**

We use your personal information for the following purposes:

### **2.1 To provide and operate our Services:**

- To create user accounts/profiles to enable you to play our Games
- To provide you with the correct versions of our games and/or applications (e.g. knowing which language to make our games available to you in)
- To enable you to communicate with other users (including via chat rooms, forums and/or private messages) and leaderboards local to you
- To send you service-related communications including confirmations, technical notices, updates, security alerts, and support/administrative messages

### **2.2 To personalize our Services:**

- To remember you next time you visit one of our Services
- Communicate with you about promotions, rewards, upcoming events, and other news about products and services we offer

### **2.3 For promotional activities (including marketing and advertising)**

- To provide you with in-game offers and rewards based on your in-game behaviors
- To serve you with relevant targeted advertisements (necessary to fund our Services)
- To make you offers to purchase in-game items on discount based on your in-game activity and purchase history.
- To send you marketing communications and/or newsletters about rewards and promotions if you have subscribed to them

## **3. ADVERTISING**

3.1 We use advertising to fund our Services and to make our games available for free. We show third-party advertising in our Games and also advertise our Services via third parties.

### When you view ads in EXER GLOBAL Apps Games

3.2 To enable us to show in-game ads, we may send your advertising ID and IP address to advertisers (or ad networks) to enable them to find appropriate ads to serve to you in our Games and on third-party properties. You can control and limit our use of your advertising ID in your device settings. EXER GLOBAL Apps Games does not control which specific ads are shown in our games (this is controlled by ad networks), but we do prohibit certain types of ads.

3.3. Advertising IDs are used by ad networks for a number of purposes (please refer to the Privacy Notices of our advertising partners listed herein as "**Third Parties**") including, for example, to:

(a) limit the number of times you see the same ad

(b) ensure they are dealing with humans with real devices and not automated "bots"

(c) to serve you with advertisements likely to be relevant to you based on your advertising ID, your engagement with other brands and ads which is recorded using your advertising ID, and to use your general geographic area.

(d) Other brands buy ad placements via an ad network or ad exchange to advertise their products in EXER GLOBAL Apps Games Games. The ad network or ad exchange acts as intermediary between the other game companies and EXER GLOBAL Apps Games. In order for an ad network to charge the company purchasing the ad, clicks from the ad and potential installs of other developers' apps are tracked. Views, clicks and installs from ads are measured using the Advertising ID.

(e) Ad networks track which games you have used to market you similar kind of games.

Your IP address is typically used by advertisers to identify your general geographic location, for example, your country, state and, sometimes, your city).

### When you view EXER GLOBAL Apps Games ads on third-party services

3.4 EXER GLOBAL Apps Games also advertises its games on other apps by asking ad networks to place ads for audiences that will be interested in them (determined using Advertising IDs).

3.5 Ad networks use Advertising IDs for this and other purposes (please refer to the Privacy Notices of our advertising partners listed as "Third Parties") including, for example, to:

(a) Measure ad effectiveness (looking at total views, clicks and installs generated by its advertising in other publishers' games);

(b) Inform players that have not played for a while about new content in the Game. EXER GLOBAL Apps Games gives a list of these users in the form of Advertising IDs to an ad network. The ad network then shows these users ads about the new content.

(c) Not display ads for a game a player is already playing. EXER GLOBAL Apps Games may send a list of active players in the form of Advertising IDs to an ad network. The ad network then excludes these players from seeing the ad.

(d) Market games to a group of potential players. EXER GLOBAL Apps Games provides Facebook a list of Advertising IDs to match them with similar type of Facebook users to whom EXER GLOBAL Apps Games could then market its games. EXER GLOBAL Apps

Games does not have information on how Facebook identifies or creates profiles of similar type of users.

3.6 You can opt out of interest-based advertising on mobile applications by changing the privacy settings of your device and selecting "limit ad tracking" (Apple iOS) or "opt out of interest-based ads" (Android).

## **4. COOKIES AND SIMILAR TRACKING TECHNOLOGY IN WEBSITES**

The Services may use "cookies" and other technologies such as pixel tags, local shared objects, hardware-based device identifiers, flash cookies, operating system-based identifiers, clear GIFs and web beacons.

Cookies: A "cookie" is a small file your browsers stores when told to do so by a website. Typically, websites place a number of different cookies on an end-user's device. Some are "First-party" cookies, i.e. from the website itself, and others are "Third-party" cookies, meaning they belong to advertising and analytics entities or social networks. Cookies are personal information. However, EXER GLOBAL Apps Games cookies do not include any other personal information and are typically used to quickly identify your device and to "remember" your device during subsequent visits for purposes of functionality, preferences, and website performance. You can disable cookies on your device or set your device to alert you when cookies are being sent to your device; however, disabling cookies may affect your ability to use the Services.

## **5. LEGAL BASIS FOR PROCESSING PERSONAL INFORMATION**

Our legal basis for collecting and using the personal information described above will depend on the personal information concerned and the specific context in which we collect it.

However, we will normally collect personal information from you only where (i) we need the personal information to perform a contract with you, (ii) the processing is in our legitimate interests and not superseded by your rights, or (iii) we have your consent to do so.

(a) Under our terms of service, "performance of contract" as a legal basis for processing your information refers to when we make the Game and Services available to you, provide customer support, integrate Games with technology and distribution platforms such as Apple iOS and Google Android, and inform you of service-related changes and Game progress.

(b) We process your personal data on the basis of our *legitimate interests* for example when we provide you the Game and Game events, serve interest based advertisements to you (both in-game and on third-party properties), carry out marketing, keep our games secure, for engineering purposes, analyzing the users' behavior across our Games, moderating chat discussion.

(c) We have a “legal obligation” to process your personal data when complying with a legal obligation, such as the preventing a crime or fraud or maintaining tax records.

(d) If we ask you to provide personal information to comply with a legal requirement or to perform a contract with you, we will make this clear at the relevant time and advise you whether the provision of your personal information is mandatory or not (as well as of the possible consequences if you do not provide your personal information).

If you have questions about, or require, further information concerning the legal basis for collecting and using your personal information, please contact us using the contact information provided in the ["How To Contact Us"](#) section below.

## 6. WHO DOES EXER GLOBAL SHARE MY PERSONAL INFORMATION WITH?

We may share your personal information with the following types of recipients:

- (a) With companies in our business group, **third-party service providers and partners** who provide data processing services to us (for example, to support the delivery of, provide functionality on, or help enhance the security of our Services), or parties that otherwise process personal information for the purposes described in this Privacy Notice or communicated to you when we collect your personal information.
- (b) With any **competent law enforcement body, regulatory authority, government agency, court of law or other third party** where we believe disclosure is necessary (i) as a matter of applicable law or regulation, (ii) to exercise, establish or defend our legal rights, or (iii) to protect your vital interests or those of any other person
- (c) With a **potential or actual buyer** (and its agents and advisers) in connection with any proposed or actual purchase, merger or acquisition of any part of our business, provided that we inform the buyer it must use your personal information solely for the purposes disclosed in this Privacy Notice
- (d) With any **other person, with your consent** for such disclosure.

## 7. HOW DOES EXER GLOBAL KEEP MY PERSONAL INFORMATION SECURE?

We use appropriate technical and organizational measures designed to protect the personal information that we collect about you and process. Specific measures include encrypting your personal information in transit.

## 8. INTERNATIONAL DATA TRANSFERS

Your personal information may be transferred to, and processed in, countries other than the country of which you are a resident. These countries may have data protection laws that are different from the laws of your country.

Specifically, our Game servers are currently located in the United States, and our business group members, third-party service providers and partners operate around the world. This means that when we collect your personal information we may process it in



any of these countries. However, we ensure appropriate safeguards are in place so that your personal information will remain protected in accordance with this Privacy Notice. This includes complying with the European Commission's Standard Contractual Clauses for transfers of personal information among companies in our business group and third-party service providers and partners, which require all members of our business group to protect the personal information they process from the EEA in accordance with European Union data protection law. It also includes the transfer of personal information to third-party service providers and partners that are certified under the EU-US Privacy Shield.

## 9. DATA RETENTION

We retain personal information we collect from you where we have an ongoing legitimate business need to do so. For example, to provide you with a Service you have requested, or to comply with applicable legal, tax or accounting requirements. For example, we periodically de-identify unused Game accounts and regularly review and de-identify unnecessary personal information.

When we have no ongoing legitimate business need to process your personal information, we will either delete or de-identify it, or, if this is not possible – for example, because your personal information has been stored on a backup server – then we will securely store your personal information and isolate it from any further processing until deletion is possible.

## 10. YOUR DATA PROTECTION RIGHTS

You have the following data protection rights:

- (a) To **access, correct, update or request deletion** of your personal information. You may do so in your account settings (via "*Terms of Service and Privacy Notice*") or by contacting us using the information in the "[How To Contact Us](#)" section below.
  - (b) To **object to the processing** of your personal information (which is processed on the grounds of legitimate interests), ask us to **restrict processing** of your personal information or **request portability** of your personal information. Again, you may do so by opting out of personalized offers based on in-game behavior, or by contacting us using the information in the "[How To Contact Us](#)" section below.
  - (c) To **opt out of marketing communications** we send you, at any time. You can exercise this right by clicking on the "[unsubscribe/opt out](#)" link in the marketing communications we send you or by contacting us using the information in the "[How To Contact Us](#)" section below.
  - (d) If we are processing your personal information with your consent, you can **withdraw your consent** at any time. Withdrawing your consent will not affect the lawfulness of any processing we conducted prior to your withdrawal, nor will it affect the processing of your personal information conducted pursuant to lawful processing grounds other than consent. You may do so by contacting us using the details at "[How To Contact Us](#)" heading below.
  - (e) You have the **right to file a complaint with a data protection authority** about our collection and use of your personal information. For more information, please contact your local data protection authority.
- You can control and limit the type of personal information we collect and process about you in a number of ways. For example, you can disconnect your social media account(s)

from our games or control your social media privacy settings to limit the information shared with us. You can also reset your mobile advertising identifier or limit ad tracking altogether using the settings on your phone. You can also limit or disable the use of cookies (or similar technologies).

## **11. AGE LIMIT**

When we collect personal information we do not know the age of our players. If a player has a Facebook account and has logged into a game, we obtain the age information from the player's Facebook profile. If we discover we have inadvertently gathered personal information from a minor under 13 years of age, we will take reasonable measures to promptly delete such personal information from our records.

## **12. UPDATES TO THIS PRIVACY NOTICE**

We may update this Privacy Notice from time to time in response to changing legal, technical or business developments.

## **13. HOW TO CONTACT US**

Data controller: EXER GLOBAL,

Street address  
Str. Ferma 8.

City and zip code  
Giâu 407310

Country  
Romania

Email [Exercustomerservice@gmail.com](mailto:Exercustomerservice@gmail.com)