

Effective Date: August 1st, 2017

This Privacy Policy applies to Battery Acid Games, Inc. (collectively, “Battery Acid”, “our,” “us,” or “we”) and describes how Battery Acid collects, uses and shares customer information from its game accessed through its websites and mobile apps, and the services provided by us in connection with any games that link to this Privacy Policy. It also provides guidance on how you can manage the personal information that you provide to us. Please also read our full Privacy Policy below.

## **BATTERY ACID PRIVACY POLICY HIGHLIGHTS**

### *Personal Information Collected*

When you use our services you may voluntarily share certain personal information with us. You may also share personal information when you connect to our sites and apps through social media platforms. We may collect additional information from you (e.g. unique device identifier, device’s operating system, or mobile carrier) when you access our apps. [More Info](#)

### *Tracking Technologies*

We use tracking technologies to measure usage during your visits to our services to provide information and advertising that will be of most interest to you. [More Info](#)

### *Targeted Advertising*

Third parties may also use information gathered from your use of the services to serve targeted, interest based advertisements. [More info.](#)

### *Use and Sharing of Information*

We may share information gathered from your use of the services with our marketing partners, affiliated companies, service providers, mobile carriers, social networks, legal and law enforcement, others if there is a change of control, and as otherwise set forth in this Privacy Policy. [More Info](#)

### *Your Information Access and Managing Options*

You can change your personal information by contacting us. We may retain the information collected for the purposes outlined in this Privacy Policy. [More Info](#)

### *Your Information Choices*

You can control whether you want to receive promotional communications from us. [More info](#)

### *Arbitration*

Any disputes under this Privacy Policy will be resolved in accordance binding arbitration as outlined in the [Terms of Use](#).

### *Updates to this Privacy Policy*

Changes to this Privacy Policy will be posted with a new “Effective Date”. [More Info](#)

### *Contacting Us*

Questions about our Privacy Policy or the use of your information may be sent to [privacy@batteryacid.co](mailto:privacy@batteryacid.co) or Battery Acid Games, P.O. Box 13311 La Jolla, CA 92037, or as otherwise set forth in the Privacy Policy. [More Info](#)

Effective Date August 1st, 2017

## **BATTERY ACID PRIVACY POLICY**

Battery Acid has developed this privacy policy ("Privacy Policy") which details important information regarding the use and disclosure of user information collected on Battery Acid owned or controlled websites (e.g., batteryacid.com, batteryacidgames.com), mobile sites, games and apps, and related services, communications and tools that link to this Privacy Policy, and when you interact offline with Battery Acid and related services and tools (collectively referred to as the "Services"). Battery Acid provides this Privacy Policy to help you make an informed decision about whether to use the Services and the choices we offer for you to manage the information we collect. Each time that you access or use the Services, you are agreeing to this Privacy Policy. If you do not agree to this Privacy Policy or Terms of Service ("Terms"), which are incorporated into this Privacy Policy by reference and govern your use of our Services, please discontinue accessing or using the Services.

### **1. INFORMATION WE COLLECT**

*Information Collected Directly From You.* You can browse our Services without telling us who you are or revealing any personal information. If you contact us you may choose to give us your personal information.

*Information Imported from Social Platforms.* We will collect information from you when you interact with our Services through third party social networking services and other third party services (e.g., Facebook, Google Play, Apple's Game Center) (each and collectively, a "Social Platform"). You may also have the option to consent to connecting your activity on our Services with your Social Platform information and activity including information from your Social Platform profile. If you choose to use our Social Platform populating feature to create an account, we may import information from a Social Platform. We only import the information you allow to be imported from the Social Platform which is controlled by your privacy settings on that Social Platform ("Permitted Social Platform Content"). The authentication of your Social Platform login credentials is conducted solely by the Social Platform. If you permit a connection, we and that Social Platform may be able to identify you and associate information received pursuant to the connection with information we already have about you. Please review the Social Platform's privacy policy and choices for sharing information of any Social Platform connected to our Services. By associating your Social Platform account with our Services and authorizing us to have access to this information, you agree that we may collect, use, and store Permitted Social Platform Content in accordance with this Privacy Policy.

*Promotions.* From time-to-time we may request information from you and other users via contests, sweepstakes or other promotions. Participation is completely voluntary. Information collected may be used as set forth in this Privacy Policy and as set forth in the applicable terms or official rules, such as to notify the winners and award prizes, and file winners' information as required by law.

*Mobile Devices.* We may collect additional information from you when you access our Services through your mobile device; for example, your unique device identifier, device's operating system, mobile carrier, and regional location. We may also collect your location information from your

IP address. The degree to which your location can be identified depends on the device you are using, e.g., laptop, smartphone, tablet or other access device (each a “Device”), and how you are connected to the internet (e.g., via cable broadband connection, WiFi, etc.).

*Information We Collect From Third Parties.* We acquire information from other trusted sources to update or supplement the information we collect, such as information to validate or update your demographic and lifestyle information.

## **2. INFORMATION COLLECTED THROUGH TRACKING TECHNOLOGIES**

*Tracking Technologies.* In addition to any information that you choose to submit to us, we and our business partners may use a variety of [tracking technologies](#) (“Tracking Technologies”), that automatically (or passively) collect certain information from your Device whenever you visit or interact with the Services or third party sites. The Apps may also collect the following background data about you, also known as log data: (1) Device type (e.g., the type of phone), (2) phone software version, (3) device identifiers, including iPhone device tokens and Android phone device tokens and device numbers, (4) number of uses and length of use of the App, and (5) IP address of users’ historical login information. We may also collect password information from you when you log in. During some visits, we may use these tools to measure and collect session information, including game response times, download errors, time spent on certain pages and page interaction information. Certain features of our Services are only available through the use of Tracking Technologies. You may encounter tracking technologies/cookies from our third party service providers that we have allowed on our Services and who assist us with various aspects of our operations and Services. We use Google to serve first party cookies (such as Google Analytics cookie) to report how our ad impressions, and interactions with these ad impressions and ad services are related to visits to the Services. To learn about Google Analytics’ current available opt-outs for the web, [click here](#). To learn more about how Google uses cookies in interest based advertising, you can visit the Google ad and content network privacy policy [located here](#). You can opt-out of receiving interest based Google ads, or customize the ads Google shows you by [clicking here](#). You can opt-out and find out more information about other third party analytics providers and their practices and your choices for data collection by [clicking here](#). Please be aware that if you choose to block certain cookies, you may not be able to sign in or use those cookie dependent features, and preferences that are dependent on cookies may be lost. If you choose to delete cookies, settings and preferences controlled by those cookies, including advertising preferences, may be deleted and may need to be recreated. Tracking Technologies are used for a variety of purposes, including the following:

*Operationally Necessary.* We may use Tracking Technologies for system administration, to prevent fraudulent activity, to improve security or to allow you to make use of our Services.

*Performance Related.* We may use Tracking Technologies to assess the performance of our Services, including as part of our analytic practices to improve content offered through the Services.

*Functionality Related.* We may use Tracking Technologies to tell us, for example, whether you have visited the Services before or if you are a new visitor and to help us identify the features in which you may have the greatest interest.

*Targeting Related.* We may use Tracking Technologies to deliver content, including ads, relevant to your interests on the Services and third party sites based on how you interact with our advertisements or content, as well as to track the content you access. For more information, see Section 3 below.

*Location Functionality.* Information gathered from your use of the Services may be combined with information from third-party sources to identify your location by state and region (“Regional Location”). If you enable location services for our Services, we may collect Regional Location data periodically as you use or leave open our Services.

### **3. INTEREST BASED (TARGETED) ADVERTISING**

*Interest Based Advertising.* We or our advertising partners may use Tracking Technologies to collect Information about your visits over time and across the Services and other third-party apps or sites, as well as information received from other sources, in order to serve more targeted advertising to you. For example, we use Google interest based cookies to serve personalized ads to you. Our ad partners automatically receive an IP address or Device identifier when this happens. Their tools may also limit the number of times you see the same ad and help measure the effectiveness of our advertising campaigns. These third parties may also use information gathered from your use of the Services to serve targeted, interest based advertisements to you on third-party sites and applications.

*“Tracking” Your Activities Across Devices and Apps.* To better understand your purchasing preferences, we may also use third party vendors that provide tracking tools that recognize and collect usage and interest information across the apps and sites you’ve visited from your various Devices. When you visit the Services on a specific Device, a unique ID is created for that Device which may be based on your hashed email address. This allows us and our third party vendors to deliver relevant product recommendations, personalized content and advertising to you based on your interests gathered across multiple apps and sites. This data may be combined with the same information from another browser or Device if you use multiple browsers or Devices. They might also obtain information about other apps that you have downloaded to your mobile Device, the sites you visit and other information about you or your Device in order to analyze and serve anonymous targeted advertising on the Services and elsewhere.

Completing the opt-out process on one device will not cause you to be opted out of targeted advertising collection and use on other devices attributed to you or your family. Your choice of “do not track” must be exercised on each device separately.

Mobile app opt-outs do not affect cookie-based data, while browser-based opt-outs do not affect mobile app and cross-app data. Also, mobile app opt-outs are limited to a specific device, while browser-based opt-outs are limited to a specific browser. In addition, choice mechanisms may be presented to you, as you move about the web, but they will be limited to the companies participating in any particular program.

The use of Tracking Technologies by third parties is subject to their own privacy policies and is not covered by this Policy. Please visit our Analytics Providers page at the back of this policy for a list of any service providers we use to provide cross device tracking and your opt-out options.

WE DISCLAIM THE ACCURACY AND RELIABILITY OF THIRD-PARTY NOTICES AND CHOICE MECHANISMS. WE DISCLAIM RESPONSIBILITY FOR NONCOMPLIANCE OF OTHERS.

### **OPT-OUT OF INTEREST BASED ADVERTISING**

To opt-out of Google interest based cookies, [click here](#) to opt-out of some of our other advertising service providers’ interest based cookies.

The Digital Advertising Alliance (“DAA”) has made available for consumers tools on which you can register your choices not to be tracked by participating advertising networks or companies in the collection and use of your online activities. These are (1) [The DAA Consumer Choice Page for Mobile Web](#) and (2) [DAA AppChoices](#), which is a mobile app that allows you to opt out of the collection and use of cross-app data, other than for permitted uses, by listed third-party AppChoices participants. You have the ability to opt out of mobile-app targeted advertising ads from any or all of the listed participating advertising networks. You can download the free mobile app from an app store available on your mobile platform. When you opt out with a particular participating advertising network, the mobile app adds your device identifier to that participant’s opt-out list. The participant advertising network is then notified to block the device identifiers on the opt-out list.

You can also prevent your receipt of interest-based ads on sites by deleting and declining cookies in your browser(s). Note that your opt-out choice is applied only to the browser from which you make the choice. To learn more, please look at the cookie settings available in your specific web browser(s).

Some newer mobile device operating systems allow you to limit the use of information to deliver interest-based advertising in mobile applications. You can check the settings on your device for such options in your devices’ operating system. Alternatively, you may wish to download the TrustE mobile application and/or the Digital Alliance “App Choices” mobile application and follow the instructions provided.

For those users in Europe, you may be able to opt-out via the IAB Europe’s industry opt-out at [www.youronlinechoices.com.eu](http://www.youronlinechoices.com.eu).

If you opt-out of receiving targeted ads on our Services, you may continue to receive advertising and promotional messages after you opt-out, but they will not be customized or personalized to you based on your use of our Services.

**Browser “Do Not Track” Signals.** Some third party browsers provide “do not track” machine readable signals for websites, which are automatically applied by default and therefore do not necessarily reflect our visitors’ choice as to whether they wish to receive advertisements tailored to their interests. As a result, we do not respond to these signals.

#### **4. HOW WE USE AND SHARE YOUR INFORMATION**

**Our Use of Information.** We may use information that we collect about you (1) to respond to your requests; (2) to fulfill orders; (3) to provide customer service; (4) to administer surveys, sweepstakes or other promotions; (5) to improve and customize our Services; (6) to provide information to a third party at your request; (7) to give you information about your account or our Services; (8) for internal business purposes; (9) for purposes disclosed at the time you provide your information, or (10) as otherwise set forth in this Privacy Policy.

**Service Providers.** We may disclose information to our third party service providers in order to monitor the activity of the Services, conduct surveys, administer contests or sweepstakes, send marketing communications, and provide other Services to you, such as customer service.

**Process Payments.** Information may be disclosed to third party app service vendors or payment providers to verify your purchases for the purpose of said third parties’ processing credit/debit card transactions, which are handled by the app store vendor(s) where you downloaded our Apps. They receive the information needed to verify and authorize your credit/debit card or other payment information and to process your order. In addition, we may disclose information to third parties to verify the authenticity of any financial transaction involving our company.

**Co-branded Areas.** Certain areas on our Services may be provided to you in association with third parties who provide us with specialized content (“Co-Branded Areas”). Such Co-Branded Areas will identify the third party. If you elect to register for the products and/or services provided at these Co-Branded Areas, you either will be providing your personal information to both us, or we might be providing your personal information directly to the third party. Your personal information will be subject to this Privacy Policy as well as the privacy policy and practices of such third party. We are not responsible for the privacy practices of those third parties and we suggest you review the respective privacy policies of those third parties to learn more about their privacy practices.

**Mobile Data.** When you access the Services on a mobile Device, we may use the information collected for any purpose set forth in this Privacy Policy.

**Analyze and Aggregate Non-Personal Information.** We use aggregate or non-personal information about our users to analyze our Services and user behavior and prepare reports which we may share with third parties.

**Promotional Communications.** We may use your contact information to send you electronic updates and communications about our products and services or other promotional communications, such as newsletters, emails, or special offers or share your information with our trusted marketing partners so they can contact you using your contact information to provide promotional offers to you (“Promotional Communications”). If you wish to opt-out of receiving Promotional Communications from us or our marketing partners or change your preferences for Promotional Communications, you may follow the instructions in Section 6 Choice and Opt-Out, set forth below.

**Information from Other Sources.** The information we collect may be combined with information from outside records (e.g., demographic, navigation, and additional contact information) that we have acquired in accordance with the law. We may also acquire information from other sources about your visits over time and across other third party sites, in order to serve targeted advertising to you on the Services.

**Push Notifications:** Our Services may include a function that allows us to use push notifications to send you updates, communications, and other messages about the Service. We do not send promotional messages about third party products or services through these push notifications.

**Connecting with a Social Platform:** If you permit a connection between a Social Platform and any of our Services, that Social Platform may be able to identify you and to associate information received from the connection with information the Social Platform already has about you. Please review the Social Platform’s privacy policy and choices for sharing information of any Social Platform connected to our Services. If you authorize a connection from our Services to a Social Platform you permit us to share or publish information about your activity on our Services with that Social Platform and its users, and to access Permitted Social Platform Content. Information we may share with a Social Platform may include, but is not limited to: technical information about how you use and access our Services. Information we may access about you, subject to your privacy settings on the Social Platform, may include your basic Social Platform information, your location data, your list of contacts, friends or followers, and certain of your activities on the Social Platform.

**Legal Matters; Safety.** We may, without your consent, access and disclose your information, any communications sent or received by you, and any other information that we may have about you or your account as may be permitted or required by law (including, but not limited to court order or subpoena), or to prevent or investigate suspected fraud, violations of our Terms, or activity that appears to us to be illegal or may expose us to legal liability. Additionally, we may disclose your information in situations that we believe may involve potential threats to the physical safety of any person or property.

*Sale or Transfer of Business or Assets.* If Battery Acid or any of its affiliated companies or businesses is sold or disposed of as a going concern, whether by merger, sale of assets or otherwise, or in the event of an insolvency, bankruptcy or receivership, information of our users may be one of the assets sold or merged in connection with that transaction. Information about our users may also be disclosed in connection with a commercial transaction where we or any one of our businesses is seeking financing, investment, and support or funding.

*Transactional Communications.* We may use your information to send you notices from time to time relating to your account or your purchases. These may include order confirmations or customer service notifications. We may also send you Service-related announcements when it is necessary to do so; for instance, if our Service is temporarily suspended for maintenance, or the delivery of a product is delayed or there are policy changes.

## **5. ACCESSING AND MANAGING YOUR PERSONAL INFORMATION**

We believe it is important for you to be able to access and manage your account and the information you have provided to us and make choices about how it is used. To inquire about or update your information, or change your preferences, you may contact us at [privacy@batteryacid.co](mailto:privacy@batteryacid.co).

You may also contact us by mail as set forth in Section 8 below.

## **6. CHOICE AND OPT-OUT**

*Transactional/Service-related Messages.* You may not opt-out of transactional or service-related messages.

*Opting-out of Analytics Cookies:* You may be able to opt-out of the collection and use of data by our third party analytics or service providers, by clicking here. You can usually modify your browser setting to decline cookies. If you choose to decline cookies, please note that you may not be able to sign in or use some of the features offered on our Services.

*Opting-out of Interest based Advertising:* See Section 3 Opt-out of Interest-based Advertising.

*Opting-out of Promotional Messages:* You may choose not to receive our promotional communications by contacting us at [privacy@batteryacid.co](mailto:privacy@batteryacid.co)

*Opting-out of Push Notifications:* You may not opt-out of receiving push notifications.

*Opt-out Timing and Third Parties:* We will endeavor to comply with your requests as soon as reasonably possible but please note that changes requested of us may not be effective immediately. Unless required by law, we are not responsible for informing third parties with whom we have shared your information of any changes, or for removing or causing to be removed information from the databases or records of such entities.

*Deleting Personal Information:* You may request that all user submitted personal information (other than your email address) is deleted from our database by emailing us at the email address noted in Section 8 Contacting Us.

## **7. IMPORTANT DISCLOSURES, PRACTICES AND CONTACT INFORMATION**

*Links to Other Sites.* Our Services may utilize hyperlinks to access third party sites, which are not controlled by us and, therefore, are not subject to this Privacy Policy. We recommend that you check the privacy policies of those third party sites to determine how the proprietors of those sites will utilize your information.

**Security.** We implement security measures to protect against the loss, misuse and alteration of personal information under our control. However, despite our efforts, no system can completely guaranty that there will never be unauthorized access to your personal information, and your use of our Services indicates that assume this risk.

**Storage and Retention.** Information that you provide to us in the course of requesting a product or service through the Services may be gathered and stored in one or more of our corporate databases. Your personal information is stored for the length of time you have an account and for legitimate business purposes as disclosed in this Privacy Policy. We may retain some information from closed accounts so that we can comply with law, prevent fraud, assist with investigations, resolve disputes, analyze or troubleshoot programs, enforce our Terms of Use, or take other actions permitted by law. If your account is terminated or suspended, we may also maintain some information to prevent re-registration.

**Jurisdiction and Cross-Border Issues:** We do not represent or warrant that our Services are appropriate or available for use in any particular jurisdiction. Those who choose to access the Services do so on their own initiative and at their own risk, and are responsible for complying with all local laws, rules and regulations. We may limit access to our Services to any person, geographic area or jurisdiction we choose, at any time and in our sole discretion. By using our Services and submitting personal information, you consent to the transfer of personal information to other countries, such as the United States, which may provide a level of data security different from your country of residence. You are also consenting to the application of United States law in all matters concerning the Services.

**Children's Privacy.** The Services are directed to an adult audience. We do not knowingly collect personal information from individuals under 18 years of age and, if we obtain actual knowledge that a user is under 18 years of age, we will take steps to remove that user's personal information from our systems.

**Changes to our Privacy Policy.** We may change this Privacy Policy from time to time. You agree that we may notify you about material changes in the way we treat information by providing you with written notice, placing a notice on the Services or by posting the most recent version of the Privacy Policy on the Services, with the "Effective Date" posted at the top. You should check the Services frequently for updates. By accessing the Services after the Effective Date, you are deemed to consent to our then-current privacy policy.

**Disputes.** If you choose to visit the Services, your visit and any dispute over privacy is subject to this Privacy Policy and our [Terms of Use](#), including arbitration, limitations on damages, resolution of disputes, and application of the laws of the United States and the state of California.

## **8. CONTACTING US**

If you have any questions, comments or concerns about this Privacy Policy or our privacy practices contact us at [privacy@batteryacid.co](mailto:privacy@batteryacid.co) or Battery Acid Games, P.O. Box 13311 La Jolla, CA 92037.

When contacting us, please include your full name, address, phone number, and email address, and indicate the specific nature of your request.

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As of August 1st, 2017

### **THIRD PARTY PROVIDERS OF ANALYTICS TOOLS**

This is a list of third parties we have hired to provide us information, reports and analysis about the usage and browsing patterns of users of the Services.

Google	<a href="http://www.google.com/intl/en/policies/privacy/">http://www.google.com/intl/en/policies/privacy/</a>
Google Analytics Opt-out	<a href="https://tools.google.com/dlpage/gaoptout/">https://tools.google.com/dlpage/gaoptout/</a>
Facebook	<a href="https://www.facebook.com/policy.php">https://www.facebook.com/policy.php</a>
Flurry	<a href="https://policies.yahoo.com/us/en/yahoo/privacy/index.htm">https://policies.yahoo.com/us/en/yahoo/privacy/index.htm</a>
Unity Analytics	<a href="https://unity3d.com/legal/privacy-policy">https://unity3d.com/legal/privacy-policy</a>

## TRACKING TECHNOLOGIES

**Cookies.** A cookie is a data file placed on a Device when it is used to visit the Services. We use cookies to collect information for record keeping purposes, to make it easier to navigate the Services. Cookies are stored on users' hard drives. We use both "session ID cookies" and "persistent cookies." Session ID cookies are used to store information while a user is logged into the Services and expire when the user closes his/her browser. Persistent cookies are used to make tasks like logging into the Services easier for returning users by remembering a user's login information. Persistent cookies stay on a user's hard drive from one session to the next.

**HTML5.** We use HTML5 in some of our applications, including in our mobile website for the iPhone or iPad. HTML5 has browser web storage that does not rely on traditional browser cookies. HTML5 cookies are not stored in a browser "cookies" file and can be used to track users across websites. To our knowledge there is currently no known way for a user of a mobile Device to remove HTML5 tracking and storage.

**Web Beacons/GIFS.** Small graphic images or other web programming code called web beacons (also known as "1×1 GIFs" or "clear GIFs") may be included in our web pages and messages. Web beacons may be invisible to you, but any electronic image or other web programming code inserted into a web page or e-mail can act as a web beacon. Web beacons or similar technologies may be used for a number of purposes, including, without limitation, to count visitors to our Services, to monitor how users navigate the Services, to count how many e-mails that were sent were actually opened or to count how many particular articles or links were actually viewed.

**Embedded Scripts.** An embedded script is programming code that is designed to collect information about your interactions with the Services such as the links you click on. The code is temporarily downloaded onto your Device used to access Services from our web server or a third party service provider, is active only while you are connected to the Services, and is deactivated or deleted thereafter.

**e-tags/cache browsers/web logs.** Like most standard website servers, we log IP addresses (a unique number assigned to every computer on the Internet) and Device identification in order to improve security, analyze trends and administer the Services. We may track your movement within the Services, the pages from which you were referred, access times and browser types. This information may include the browser you are using, the Internet address from which you linked to our Services, the operating system of your computer, the unique IP address of the computer or Device identification from the mobile Device that you used to access our Services and usage and browsing habits. We use this information in the aggregate to gauge the effectiveness, usage, and popularity of our Services, track information for statistical purposes, help diagnose and troubleshoot server malfunctions, analyze trends, track user movement in the aggregate, and gather broad demographic information. We may also use individual information we collect through web logs to send you targeted offers and other communications.

**Device Fingerprinting.** We may use Device fingerprinting in some of our Services, which allows us to collect information about a remote computing Device for the purpose of identification. It can be used to prevent fraud or collect information about you.

**IDFA.** The IDFA is a Device identifier that is used by many software kit developers for various reasons including to measure user behavior in mobile apps. Additionally, the IDFA is the shared identifier between an ad network and an ad server to report which networks delivered a particular download.