

# PRIVACY NOTICE

Last Updated: March 14, 2024

Mainframe Industries Oy respects your privacy and is committed to protecting your personal data. This privacy notice will inform you as to how we collect, process and share your personal data when you play our game, communicate with our representatives, and it will also tell you about your privacy rights.

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## 1. WHO IS DATA CONTROLLER?

The data controller for the processing described in this notice is: **Mainframe Industries Oy**

If you have questions regarding this Privacy Notice please contact us using the contact details found in our website at: <https://themainframe.com/en/contact/>

If you visit our pages, please make sure to consult the specific privacy notice presented there, at: <https://themainframe.com/en/legal/>

## 2. INFORMATION WE COLLECT AND HOW WE COLLECT IT

In the following, we will tell you which types of personal data we may collect about you and how we collect it. In section 3, we have in a table explained the purposes for which we process your personal data and the lawful bases we rely on.

Identity, contact and user data is collected directly from you when you register to use our products and services, request marketing from us or otherwise communicate with us.

When interacting with our website or services, we may automatically collect game and technical data about your equipment, browsing and gameplay actions and patterns. We collect this personal data by collecting action information in our game platform, using cookies at our websites and similar technologies.

We may collect, use, store and transfer different kinds of personal data about you which we have grouped together as follows:

- a. **Identity Data** includes your surname and last name, age, and account name
- b. **Contact Data** includes email or other online contact information, telephone number and address
- c. **User Data** includes feedback and other data collected via support and customer service
- d. **Game Data** includes data generated by your interactions and choices in-game (including interactions with the game client), progression in-game, preferred settings, and user generated speech and text.
- e. **Technical Data** includes IP address, your login data, crash data and other data related to bugs and errors, logging data on your player activity and endpoint data, game version, time zone setting and location, operating system and platform, and technical data on the devices you use to access the game.

The information is collected directly from you and your use of the game and interaction within it.

As you use the game, are logged in the game or interact within the game, we may automatically collect, by using technical means, Activity Data and Technical Data about your equipment, actions and patterns.

### 3. THE PURPOSES AND THE LEGAL BASIS

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- a. Where we need to perform a contract, we are about to enter into or have entered into with you cf. GDPR Article 6 (1) (b).
- b. Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests cf. GDPR Article 6 (1) (f).

We have set out below, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

We note that the current version of the game is not final, and as the game evolves, new features will be implemented and the game will be made available outside the testing environment. Consequently, new purposes for processing of personal data may emerge. This privacy notice will be updated accordingly before personal data will be processed for new purposes.

Purpose/Activity	Type of data	Legal basis for processing including basis of legitimate interest
<p>To provide the game to you based on the terms of use with you, including the following features/activities:</p> <ul style="list-style-type: none"> <li>• to operate the game in a cloud service;</li> <li>• to process payments related to the game;</li> <li>• to provide registration, login and signing-up for the game and other user account management;</li> <li>• to persist the game state and to provide access to the avatar data;</li> <li>• publishing the game and connecting the user to the streaming instance; and</li> <li>• to comply with our obligations and exercise our rights under when providing the game for you</li> </ul>	(A) Identity (B) Contact (C) User Data (D) Game Data (E) Technical Data	Performance of a <b>contract</b> with you
<p>To ensure technical and data security inside the game, including the following activities</p> <ul style="list-style-type: none"> <li>• to provide troubleshooting and other technical support;</li> <li>• to monitor and detect bugs and other failures in the game;</li> <li>• to monitor communications/protocol and analyze network traffic and patterns to prevent DDoS attacks;</li> <li>• to prevent exploitation of game mechanics, ensuring reliability of backend systems and services. Protecting against hacking and break-in attempts;</li> <li>• to link avatars to a specific user and carry out access control checks for certain actions; and</li> <li>• to guarantee the ownership of digital property of players</li> </ul>	(A) Identity (B) Contact (C) User Data (D) Game Data (E) Technical Data	Necessary for our <b>legitimate interest</b> to offer you a safe and secure gaming experience.
<p>To communicate with gamers, provide customer service and answer to client feedback and possible claims, including the following activities</p>	(A) Identity (B) Contact (C) User Data (D) Game Data	Necessary for our <b>legitimate interest</b> to improve our gamer experience and make sure

<ul style="list-style-type: none"> <li>• to notify you of new version of game client and offer it for download;</li> <li>• to provide in-game communication;</li> <li>• to communicate with users regarding the game and provide support upon request;</li> <li>• to enable communications in the game between players as well as moderation, filtering of messages; and</li> <li>• to protect our players (and business) from behavior that would ruin their game experience</li> </ul>		possible issues are solved quickly and efficiently.
<p>To promote and market the game, including the following activities</p> <ul style="list-style-type: none"> <li>• cooperation with content creators</li> <li>• making travel arrangements for events;</li> <li>• arranging intra-game events; and</li> <li>• organizing contests</li> </ul>	(A) Identity (B) Contact	Necessary for our <b>legitimate interest</b> to market our game and make more people aware of our products and business.
<p>To analyze data generated in-game, avatar behavior and technical feedback to improve the game and gaming experience by</p> <ul style="list-style-type: none"> <li>• recommending relevant content;</li> <li>• maintaining and developing the game experience, improving the service; and</li> <li>• discovering auxiliary services to help user interact with the game world</li> </ul>	(A) Identity (B) Contact (C) User Data (D) Game Data (E) Technical Data	Necessary for our <b>legitimate interest</b> to analyse, improve and develop our business, including our products, services, sales and marketing

To the extent that we have referred to our legitimate interest as the legal basis for the processing of personal data specified above, we have conducted a balancing test for those interests to ensure that our interest is not overridden by your interests or fundamental rights and freedoms. Please contact us using the contact details found in our website at <https://themainframe.com/en/contact/> if you wish to receive more information on the balancing test.

#### 4. SHARING OF INFORMATION COLLECTED

We may disclose personal data to third parties:

- when it is necessary for the purposes listed in section 3
- when required by law we may disclose your personal data to public authorities such as tax authorities, and law enforcement authorities
- when it is necessary for our suppliers to provide us services necessary to provide the game for you
- we may assign your personal data, to any person or entity that acquires all or substantially all of our business, stock or assets, or with whom we merge.

- when we believe in good faith that disclosure is necessary to establish or exercise our legal rights or defend against legal claims, protect your safety or the safety of others, investigate fraud, or respond to a government request.

We share information, including personal information, with our trusted third-party service providers that we use to provide services to us and process your data on our behalf and under our instruction, e.g. hosting of data, publishing of our game, providing and maintaining IT-systems, analytics and other services for us. These third-party service providers may have access to or process your personal information for the purpose of providing these services for us. We do not permit our third-party service providers to use the personal information that we share with them for any other purpose than in connection with the services they provide to us. We have entered into data processor agreements with our data processors.

## 5. TRANSFER TO THIRD COUNTRIES

We may transfer your personal data outside of the European Union (EU) / European Economic Area (EEA). The countries to which we may transfer data include the United States. Please be aware that currently there is no adequacy decision by the Commission for data transfers to the United States.

We ensure the protection of your personal data when transferred outside the EU/EEA by implementing appropriate safeguards. For data transfers to the United States, some of the recipient companies are part of the EU-US data transfer framework which the Commission has granted with an adequacy decision. To the extent the recipient companies are not part of the EU-US data transfer framework, we ensure that our agreements with these companies include Standard Contractual Clauses issued by the European Commission to ensure the security of your data.

## 6. DATA RETENTION

We retain the personal information we collect where we have an ongoing legitimate need to do so. When we have no ongoing legitimate need to process your personal information, we will either delete or anonymize it.

We need to retain certain personal data as long as we provide you with our services.

Data may be retained for a longer period if we are legally obliged to do so, or if retention is necessary to establish, exercise or defend legal claims.

## 7. HOW TO EXERCISE YOUR DATA PROTECTION RIGHTS

You have certain choices available to you when it comes to your personal information. Below is a summary of those choices, how to exercise them and any limitations.

Under certain circumstances, you have the right to:

- Request access to your personal information. This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- Request correction of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.

- Request erasure of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it.
- Object to processing of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
- Request the restriction of processing of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- Request the transfer of your personal information to another party (also known as data portability).

Where our processing is solely based on your specific consent you have the right to with-draw your consent at any time. Such withdrawal will not affect the lawfulness of processing based on consent before its withdrawal.

If you wish to exercise any of the data protection rights that are available to you then please send your request to us by email at [dataprivacy@themainframe.com](mailto:dataprivacy@themainframe.com) and we will action your request in accordance with applicable data protection laws.

You have the right to complain to your local data protection authority if you are unhappy with our data protection practices. In Finland you can lodge a complaint with the Office of the Data Protection Ombudsman at <https://tietosuoja.fi/en/notification-to-the-data-protection-ombudsman>

## 8. CHANGES TO THIS PRIVACY NOTICE

We note that the current version of the game is not final, and the processing of personal data will change as new features will be implemented and the game is made available outside the testing environment. This privacy notice will be updated accordingly before changes are implemented.

This privacy notice may also be updated from time to time to reflect changing legal, regulatory, or operational requirements. We encourage you to periodically consult our privacy notices for the latest information on our privacy practices.

If there are any material changes to this privacy notice, and you have a registered account, you will be notified by email prior to the change becoming effective.