

**Xplored S.R.L.**  
**PRIVACY POLICY**

This policy is provided pursuant to Regulation (EU) 2016/679 of the European Parliament and Council of April 27, 2016 ("Regulation" or "GDPR") and Legislative Decree No. 196 of June 30, 2003 ("Personal Data Protection Code" or "Privacy Code").

This notice is intended for any individual who have downloaded the Game App related to the Game by authenticating to it in the manner defined in Article 5 of the General Terms and Conditions ("Players" or "Interested Parties").

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**SUMMARY**

|   |   |
|---|---|
| I) GENERAL PART.....  | 1 |
| Art. 1 - Definitions.....   | 1 |
| Art. 2 - Identity and data of the data controller.....  | 1 |
| Art. 3 - Method of processing.....  | 1 |
| Art. 4 - Communication and Transfer of Personal Data.....                                     | 1 |
| Art. 5 - Rights of the Users and how to submit the relevant application to exercise them..... | 2 |
| Art. 6 - Right of Access.....   | 2 |
| Art. 7 - Right of rectification and deletion.....   | 2 |
| Art. 8 - Right to limitation of processing.....   | 3 |
| Art. 9 - Right to object to the processing.....   | 3 |
| Art. 10 - Right to portability of personal data.....  | 3 |
| Art. 11 - Right to lodge a complaint with a Supervisory Authority.....                        | 3 |
| II) PROCESSING OF PERSONAL DATA FOR THE USE OF THE GAME APP.....                              | 3 |
| Art. 12 - Scope of Application.....   | 3 |
| Art. 13 - Purpose and legal basis of the processing.....                                      | 4 |
| Art. 14 - Nature of personal data and their provision.....                                    | 4 |
| Art. 15 - Personal Data Retention Period.....   | 4 |
| III) DATA PROCESSING FOR TRACKING GAME INFORMATION.....                                       | 5 |
| Art. 16 - Scope of Application.....   | 5 |
| Art. 17 - Purpose and legal basis of the processing.....                                      | 5 |
| Art. 18 - Nature of personal data and their provision.....                                    | 5 |
| Art. 19 - Period of storage of personal data.....   | 6 |
| IV) PROCESSING OF DATA COLLECTED BY THE GAME APP DURING NAVIGATION.....                       | 6 |
| Art. 20 - Scope.....  | 6 |
| Art. 21 - Purpose and legal basis of the processing.....                                      | 6 |
| Art. 22 - Nature of personal data and their provision.....                                    | 6 |
| Art. 23 - "Access" cookies.....   | 7 |
| Art. 24 - Period of retention of personal data.....   | 7 |

## **D)**

### **GENERAL PART**

#### **Art. 1 - Definitions**

- 1.1 The terms referred to in this Privacy Policy shall be used in the meaning and according to the meaning attributed to them under Article 3 of the General Conditions and ss.mm.ii., to be considered here fully referred to.

#### **Art. 2 - Identity and data of the data controller**

- 2.1 The data controller is Xplored S.r.l. (P.I. 01783080995), in the person of the Sole Director and legal representative Dr. Davide Garofalo, current in Genoa (GE), Via San Vincenzo 79/2B, registered at Companies' Register of Genoa at no. R.E.A. GE - 435389, email: [info@xplored.com](mailto:info@xplored.com), pec: [xplored@pec.it](mailto:xplored@pec.it) ("Xplored" or "Data Controller").

#### **Art. 3 - Method of processing**

- 3.1 Xplored collects only and exclusively the personal data necessary to fulfil the specific purposes for which the same are processed.
- 3.2 In relation to the purposes indicated below, the processing of the collected data is carried out in accordance with the principles of lawfulness, correctness and transparency.
- 3.3 Xplored conducts periodic checks to ascertain the accuracy of the data in its possession and, if necessary, updates, rectifies or deletes them when inaccurate.
- 3.4 Xplored processes Players' data in such a way as to ensure their integrity and security, protecting them from unauthorized or unlawful processing, loss, destruction or accidental damages, by adopting appropriate technical and organizational measures, which may be explained if requested.
- 3.5 Players' data shall be processed by both paper and computerized means.

#### **Art. 4 - Communication and Transfer of Personal Data**

- 4.1 Xplored reserves the right to communicate the personal data of Players:
  - to its employees and collaborators, appropriately appointed and trained; such communication is functional to ensure greater speed and efficiency of the service requested by the Players;
  - to third parties - such as, but not limited to, debt recovery companies, professionals, consultants, credit institutions, companies operating in the information technology sector; such communication is aimed at ensuring the execution of the contract entered into with the Players by authenticating to the Game App and/or the fulfilment of a legal obligation and/or the protection of a right or legitimate interest of the Data Controller; outside of these cases, communication to third parties is made only in the presence of one among the conditions of lawfulness provided for by the relevant regulations in force.
- 4.2 Xplored also reserves the right to transfer Players' personal data to other countries within the European Union and/or to non-EU countries and/or to international organizations that guarantee an adequate and consistent level of protection regarding the requirements contained in the relevant regulations in force. In particular, the transfer to countries outside the European Union and/or to international organizations will take place only in accordance with the provisions of Articles 44 et seq. of the Regulations.
- 4.3 The communications and transfers referred to in paragraphs 4.1 and 4.2 above take place through the most punctual compliance with the current legislation and ensuring broad protection of the rights of each individual.

#### **Art. 5 - Rights of the Users and how to submit the relevant application to exercise them**

- 5.1 The rights set forth in Articles 12 et seq. of the Regulation are granted and guaranteed to the Players, as further specified below.
- 5.2 In order to allow for prompt feedback from Xplored, each Player shall forward the request to exercise the rights set forth in the following articles, or any one of them, to the following e-mail address: [gdpr@xplored.com](mailto:gdpr@xplored.com).

#### **Art. 6 - Right of Access**

- 6.1 According to the requirements of Art. 15 of the Regulations, each Player has the right to obtain from the Data Controller the confirmation concerning the processing of personal data and, in case of confirmation, has the right to access to the following information: a) the purpose of the processing; b) the categories of personal data being processed; c) the recipients to whom the personal data is or will be communicated; d) the retention period or the criteria for determining it; e) the rights that can be exercised and how to exercise them, such as: right to request the rectification and/or the erasure of the data and/or the restriction of processing, right to object to processing, right to lodge a complaint with a supervisory authority; e) source of collection of personal data; f) existence of automated decision making, including profiling.
- 6.2 If the right of access is exercised, Xplored will release a copy of the personal data being processed and/or the information requested.

#### **Art. 7 - Right of rectification and deletion**

- 7.1 According to Art. 16 of the Regulation, each Player may request and obtain the rectification and/or supplementation of his/her personal data when inaccurate and/or incomplete.
- 7.2 Each Player also has the right to request and obtain the deletion of his or her personal data when, alternatively: a) the data is processed unlawfully; b) the data is no longer necessary in relation to the purposes of the processing; c) the data must be deleted in order to comply with a legal obligation to which the Data Controller is subject; d) the data was collected pursuant to Article 8, paragraph 1 of the Regulations; e) the Player has revoked the consent previously given as the legal basis for the processing or has objected to the processing pursuant to Article 21 of the Regulations.

#### **Art. 8 - Right to limitation of processing**

- 8.1 Each Player may obtain from the Data Controller the limitation of processing in any of the hypotheses set forth in Art. 18 of the Regulations.

#### **Art. 9 - Right to object to the processing**

- 9.1 According to the provisions of Art. 21 of the Regulations, at any time, each Player has the right to object, relating to his or her particular situation, to the processing of personal data concerning him or her pursuant to Article 6(1)(e) or (f) of Regulation, including profiling, on the basis of those provisions.
- 9.2 The Data Controller shall refrain from further processing the data of the requesting Player, except in cases where there are compelling legitimate causes for processing prevailing over the interests, rights and freedoms of the Player or for the establishment, exercise or defense of a legal claim.

#### **Art. 10 - Right to portability of personal data**

- 10.1 Pursuant to Art. 20 of the Regulations, each User has the right to receive in a structured, commonly used and computer-readable format the personal data concerning him or her or to request the transfer of such data to another data controller through interoperable record.

### **Art. 11 - Right to lodge a complaint with a Supervisory Authority**

- 11.1 When he considers that the processing carried out by Xplored is contrary to the provisions of the GDPR, each Player can file a complaint to the competent Supervisory Authority seated in the territory of the member State where he usually resides or works or seated in the place where the alleged violation occurred.

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## **II)**

### **PROCESSING OF PERSONAL DATA FOR THE USE OF THE GAME APP**

### **Art. 12 - Scope of Application**

- 12.1 This Title II) regulates the processing of personal data disclosed by each Player to Xplored through the authentication on the Gaming App, in the manner prescribed by Article 5 of the General Terms and Conditions.

### **Art. 13 - Purpose and legal basis of the processing**

- 13.1 The processing of personal data collected for the reasons set forth in Art. 12 above is aimed to enabling Xplored:
- a) to render the service requested by the Player through the purchase of the Game and the authentication on the Game App, as well as to fulfil any further obligations instrumental to or related to the service; in this case, the legal basis for the processing is the performance of a contract to which the Interested Party is a party and/or a pre-contractual measure adopted at request of the same;
  - b) to comply with the legal obligations settled by current regulations and, in particular, by tax and administrative regulations; in this case, the legal basis of the processing is, precisely, the fulfilment of a legal obligation of the Data Controller.

### **Art. 14 - Nature of personal data and their provision**

- 14.1 Constitute object of processing the access credentials to the Game App and all the Player's personal data related, alternatively, to his/her Teburu Profile, to his/her Facebook Google, Apple or Discord profiles/accounts, or to the Profile specifically created by compiling the registration form proposed by the Game App.
- 14.2 The provision of such data is not mandatory, but it is strictly necessary for Xplored to render the service requested by the Player; therefore, any refusal of the Player to communicate the data indicated in paragraph 14.1 above makes it impossible to use the Game Components and, in particular, the Game App.

### **Art. 15 - Personal Data Retention Period**

- 15.1 Limited to the provisions of this Title II), Xplored shall retain each Player's personal data as long as necessary to perform the requested service and, therefore, until the fulfilment of the purposes set forth in Article 13 above.
- 15.2 Once the requested service has been rendered, Xplored shall retain each Player's data for the maximum retention period required by law and, in any event, for a period of not less than 10 years.

- 15.3 The Player has the right to request, at any time, Xplored to arrange for the deletion of his or her login credentials, in the manner and through the channels set forth in Art. 5 above.
- 15.4 Upon the receipt of such request, Xplored shall process it without delay, retaining the access credentials and the data related thereto for the sole purpose of any defense in court and, in any event, for a period not exceeding 10 years from the processing of such request.
- 15.5 If, during the retention period referred to in paragraphs 15.2 and 15.4 above, a dispute arises with the Player, Xplored reserves the right to retain the Player's access credentials and related personal data until any settlement of the dispute or until the judgment becomes final.
- 15.6 Any processing carried out after the end of the retention periods referred to in paragraphs 15.2 and 15.4 above shall be preceded by a new disclosure in accordance with the provisions of the Regulations.

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### **III)**

## **DATA PROCESSING FOR TRACKING GAME INFORMATION**

### **Art. 16 - Scope of Application**

- 16.1 This Title III) regulates the processing of each Player's personal data that Xplored collects, stores and forwards to the analytics system during each Match, in the manner prescribed in Article 7 of the General Conditions.

### **Art. 17 - Purpose and legal basis of the processing**

- 18.1 17.1 The purpose of the processing of personal data according to Art. 16 above is to enable Xplored to carry out performance evaluations of the Game Components, by anonymizing or pseudonymizing or encrypting or aggregating the data collected, stored and forwarded to the analytics system.
- 18.2 17.2 Within the scope of such Game Information tracking activities, in particular, the following are identifiable:
- a) the processing operations of personal data related to the Game Information (and in particular IP addresses), consisting in the collection and temporary storage of the same by Xplored and the subsequent communication to the analytics system; in this case the legal basis of the processing is the consent of the Player. Such consent is revocable at any time, following the indications set forth in Article 18.2 below.
  - b) the subsequent processing operations in anonymous and aggregate form of the data sub a), consisting in the technical and statistical evaluation of the same and of the Game Information, aiming the efficiency of the Game Components and the games that will be created; in this case the legal basis is the legitimate interest of the Data Controller.

### **Art. 18 - Nature of personal data and their provision**

- 18.3 The following personal data shall be processed: the name and operating system (including its version) and the identification private code of the Devices used by each Player, the technical characteristics of the system (RAM memory, video memory, number and type of CPUs), the language set by the system, the Match ID set by Xplored, the account of each Player involved in the Match, their IP address and any other information related to the Game Information.
- 18.4 With respect to the purposes set out in clause 17.2 above, the provision of such data is not mandatory.

- 18.5 The Player may object to the processing operations referred to in Art. 17.2 a) at any time by accessing to the settings of the Game App and flagging the relevant opt-out option.
- 18.6 Choosing the opt-out option makes it impossible for the analytics system to evaluate the Game Information and related data collected anonymously and in aggregate after the opt-out option has been exercised.

#### **Art. 19 - Period of storage of personal data**

- 19.1 Limited to the provisions of Art. 17.2, letter a) above, Xplored retains Game Information and personal data related thereto only for the time necessary for their communication to the analytics system.
- 19.2 Once the requested service has been rendered, Xplored deletes the collected information.
- 19.3 With regard to the operations referred to in Art. 17.2(b), the data shall be stored anonymously and in aggregate until the end of the performance evaluation of the Game Components by the analytics system.

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### **IV)**

#### **PROCESSING OF DATA COLLECTED BY THE GAME APP DURING NAVIGATION**

#### **Art. 20 - Scope**

- 20.1 This Title IV) regulates the use of cookies described in the dedicated Cookie Policy.
- 20.2 In this document, the term 'cookies' refers both to cookies and to similar technologies.

#### **Art. 21 - Purpose and legal basis of the processing**

- 21.1 Xplored uses:
- (i) cookies and similar technologies functional to allow better navigation on the Game App and greater efficiency in terms of accessibility and usability of the Game App and its services;
  - (ii) analytical cookies, by Xplored, necessary to collect anonymous, statistical and aggregate data on the use of the Gaming App, also analysing the related traffic.
- 21.2 The legal basis for the processing is the Player's express, free and informed consent, given after having read the Cookie Policy and by "clicking" on the appropriate command on the cookie banner loaded during the first access to the Gaming App. Consent given in this way can be revoked at any time by modifying one's preference options in the dedicated area of the Game App or in the browser settings.

#### **Art. 22 - Nature of personal data and their provision**

- 22.1 The following data are subject to processing:
- (i) browsing data: Game Information and related data collected by Xplored, through the Game App, such as but not limited to: date and time, IP addresses, browser and operating system, language, country, time of request, etc.
  - (ii) cookies: small strings of text sent by the Gaming App to the Player's Device, where they are stored and then transmitted back to the Gaming App in the occasion of the next access of the Player. Some of the functions of cookies may be delegated to other technologies.
- 22.2 With regard to the purposes set out in clause 21.1, point (i), the provision of personal data - and therefore the acceptance of cookies - is optional and the refusal and/or the disabling of such data may affect the use of the functionalities of the Game App.

22.3 With regard to the purpose set out in clause 21.2, point (ii), the provision of the data is optional and any refusal and/or disabling of the data would make it impossible to carry out the activities described above and, among these, in particular, the possibility of storing one's access credentials to the Game App and, therefore, maintaining one's log-in for future games.

**Art. 23 - "Access" cookies**

23.1 Among other things, any login credentials that the Players decides to use in order to play the Match accordingly the Artt. 4 and 5 of the General Terms and Conditions shall constitute cookies accordingly art. 22.1 above.

23.2 These cookies, if authorised, enable you to store your credentials on the Game App: a) for the purpose of playing a Match; and/or b) for the purpose of faster access in the event of future Matches to be played in the same manner.

23.3 The Player may register her or his preferences either when accessing the Gaming App for the first time, using the so-called cookie banner, or subsequently, by changing the preference choices already made in the settings area of the Gaming App.

23.4 If the "login" cookies are deactivated, this does not prevent the Game App from functioning properly, as the Player is permitted both to enter his credentials each time he logs in and to play one or more Games without logging into the Game App.

**Art. 24 - Period of retention of personal data**

24.1 Limited to the provisions of this Title IV), Xplored will retain the Player's data as long as necessary to provide the requested service and, therefore, to pursue the purposes set out in Article 21 above and/or, specifically, in Article 23 above.

24.2 More specifically, with regard to "access" cookies

- referred to in Article 23.2(a) above, Xplored retains the Player's data for the time limited to the single Match in progress;
- under clause 23.2(b), Xplored retains the Player's data as long as necessary to provide the requested service or until the Player changes his/her preference options in accordance with clause 24.3 below.

24.3 The Player may revoke his/her consent at any time and, therefore, even before the expiry of the retention periods referred to in paragraphs 24.1 and 24.2 above, by changing his/her preference options. In this case, the data stored and retained up to that point shall be promptly destroyed.

24.4 In the event of a dispute with the Player, Xplored shall retain the Player's personal data until the settlement of the dispute or until the judgment becomes final.

24.5 Any processing carried out after the expiry of the retention periods referred to in paragraphs 24.1, 24.2, 24.3 and 24.4 above shall be preceded by a new information notice in accordance with the provisions of the Regulation.

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This disclosure is updated as of 16/05/2024.