

## **Privacy Policy**

Effective date: April 17<sup>th</sup>, 2023

At Luna Park, we take your privacy seriously. Please read this Privacy Policy to learn how we treat your personal data. **By using or accessing our Services in any manner, you acknowledge that you accept the practices and policies outlined below, and you hereby consent that we will collect, use and share your information as described in this Privacy Policy.** You may print a copy of this Privacy Policy by clicking [here](#).

Luna Park offers hosted social games and other icebreakers to enterprise customers. In the ordinary course of providing those products and services, we may process personal data about individuals—including our customers' employees—at the direction of our customers. We are not the controllers of such data and our processing of such data is governed by the written agreement executed by us and the applicable customer. The terms in place between you and the relevant customer, and not this Privacy Policy, applies to such processing. If we process your personal data on behalf of one of our customers and you wish to discontinue such processing, or if you seek to correct, amend, or delete inaccurate data, please directly contact the customer on whose behalf we are processing such data.

As we continually work to improve our Services, we may need to change this Privacy Policy from time to time. Upon such changes, we will alert you to any such changes by placing a notice on the Luna Park website, by sending you an email and/or by some other means. Please note that if you've opted not to receive legal notice emails from us (or you haven't provided us with your email address), those legal notices will still govern your use of the Services, and you are still responsible for reading and understanding them. If you use the Services after any changes to the Privacy Policy have been posted, that means you agree to all of the changes.

Remember, your use of Luna Park Services is at all times subject to our [Terms of Use](#), which incorporates this Privacy Policy. Any terms we use in this Policy without defining them have the definitions given to them in the Terms of Use.

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### **What this Privacy Policy Covers**

This Privacy Policy covers how we treat Personal Data that we gather when you access or use our Services. “Personal Data” means any information that identifies or relates to a particular individual and also includes information referred to as “personally identifiable information” or “personal information” under applicable data privacy laws, rules or regulations.

**Personal Data**

*Categories of Personal Data We Collect*

This chart details the categories of Personal Data that we collect and have collected over the past 12 months:

<b><u>Category of Personal Data</u></b>	<b><u>Examples of Personal Data We Collect</u></b>	<b><u>Categories of Third Parties With Whom We Share this Personal Data:</u></b>
<b>Profile or Contact Data</b>	<ul style="list-style-type: none"> <li>• First and last name</li> <li>• Email</li> <li>• Phone number</li> <li>• Username</li> </ul>	<ul style="list-style-type: none"> <li>• Service Providers</li> <li>• Analytics Partners</li> <li>• Parties You Authorize, Access or Authenticate</li> </ul>
<b>Device/IP Data</b>	<ul style="list-style-type: none"> <li>• IP address</li> <li>• Device ID</li> <li>• Type of device/operating system/browser used to access the Services</li> </ul>	<ul style="list-style-type: none"> <li>• Service Providers</li> <li>• Advertising Partners</li> <li>• Analytics Partners</li> </ul>
<b>Web Analytics</b>	<ul style="list-style-type: none"> <li>• Web page interactions</li> <li>• Referring webpage/source through which you accessed the Services</li> <li>• Non-identifiable request IDs</li> <li>• Statistics associated with the interaction between device or browser and the Services</li> </ul>	<ul style="list-style-type: none"> <li>• Service Providers</li> <li>• Analytics Partners</li> </ul>
<b>Productivity Platform Data</b>	<ul style="list-style-type: none"> <li>• Information generated when the Services are accessed via a third-party (such as Slack, Microsoft Teams, Google SSO)</li> </ul>	<ul style="list-style-type: none"> <li>• Service Providers</li> <li>• Parties You Authorize, Access or Authenticate</li> </ul>
<b>Consumer Demographic Data</b>	<ul style="list-style-type: none"> <li>• Age</li> </ul>	<ul style="list-style-type: none"> <li>• Service Providers</li> <li>• Analytics Providers</li> <li>• Parties You Authorize, Access or Authenticate</li> </ul>
<b>Geolocation Data</b>	<ul style="list-style-type: none"> <li>• IP-address-based location information</li> </ul>	<ul style="list-style-type: none"> <li>• Service Providers</li> <li>• Parties You Authorize, Access or Authenticate</li> </ul>
<b>Photos, Videos and Recordings</b>	<ul style="list-style-type: none"> <li>• Photos of a user’s environment</li> </ul>	<ul style="list-style-type: none"> <li>• Service Providers</li> <li>• Parties You Authorize, Access or Authenticate</li> </ul>
<b>Inferences Drawn from Other Personal Data Collected</b>	<ul style="list-style-type: none"> <li>• Inferences reflecting user behavior</li> </ul>	<ul style="list-style-type: none"> <li>• Service Providers</li> <li>• Analytics Providers</li> </ul>
<b>Other Identifying Information that You Voluntarily Choose to Provide</b>	<ul style="list-style-type: none"> <li>• Identifying information in emails, letters, texts, or other communication you send us</li> </ul>	<ul style="list-style-type: none"> <li>• Service Providers</li> <li>• Parties You Authorize, Access or Authenticate</li> </ul>

*Categories of Sources of Personal Data*

We collect Personal Data about you from the following categories of sources:

- **You**
  - When you provide such information directly to us.
    - When you voluntarily provide information in free-form text boxes through the Services or through responses to surveys or questionnaires.
    - When you create an account or use our interactive tools and Services.
    - When you send us an email or otherwise contact us.
  - When you use the Services and such information is collected automatically.
    - Through Cookies (defined in the “Tracking Tools, Advertising, and Opt-Out” section below).
    - If you use a location-enabled browser, we may receive information about your location.
- **Third Parties**
  - Vendors
    - We may use analytics providers to analyze how you interact and engage with the Services, or third parties may help us provide you with customer support.
    - We may use vendors to obtain information to generate leads and create user profiles.
  - Advertising Partners
    - We receive information about you from some of our vendors who assist us with marketing or promotional services related to how you interact with our websites, applications, products, Services, advertisements or communications.
  - Productivity Platforms
    - If you provide social network account credentials to us or otherwise sign in to the Services through a third-party site or service, such as Slack, Microsoft Teams, or Google SSO, some content and/or information in those accounts may be transmitted to us.

*Our Commercial or Business Purposes for Collecting or Disclosing Personal Data*

- **Providing, Customizing and Improving the Services**
  - Providing you with the products, services or information you request.
  - Meeting or fulfilling the reason you provided the information to us.
  - Providing support and assistance for the Services.
  - Improving the Services, including testing, research, internal analytics and product development.
  - Personalizing the Services, website content and communications based on your preferences.
  - Doing fraud protection, security and debugging.

- Carrying out other business purposes stated when collecting your Personal Data or as otherwise set forth in applicable data privacy laws.
- **Marketing the Services**
  - Marketing and selling the Services.
  - Showing you advertisements, including interest-based or online behavioral advertising.
- **Corresponding with You**
  - Responding to correspondence that we receive from you, contacting you when necessary or requested, and sending you information about Luna Park or the Services.
  - Sending emails and other communications according to your preferences or that display content that we think will interest you.
- **Meeting Legal Requirements and Enforcing Legal Terms**
  - Fulfilling our legal obligations under applicable law, regulation, court order or other legal process, such as preventing, detecting and investigating security incidents and potentially illegal or prohibited activities.
  - Protecting the rights, property or safety of you, Luna Park or another party.
  - Enforcing any agreements with you.
  - Responding to claims that any posting or other content violates third-party rights.
  - Resolving disputes.

We will not collect additional categories of Personal Data or use the Personal Data we collected for materially different, unrelated or incompatible purposes without providing you notice.

### **How We Disclose Your Personal Data**

We disclose your Personal Data to the categories of service providers and other parties listed in this section. Depending on state laws that may be applicable to you, some of these disclosures may constitute a “sale” of your Personal Data. For more information, please refer to the state-specific sections below.

- **Service Providers.** These parties help us provide the Services or perform business functions on our behalf. They include:
  - Hosting, technology and communication providers.
  - Security and fraud prevention consultants.
  - Support and customer service vendors.
- **Advertising Partners.** These parties help us market our services and provide you with other offers that may be of interest to you. They include:
  - Ad networks.
  - Marketing providers.
- **Analytics Partners.** These parties provide analytics on web traffic or usage of the Services. They include:
  - Companies that track how users found or were referred to the Services.
  - Companies that track how users interact with the Services.
- **Parties You Authorize, Access or Authenticate**
  - Third parties you access through the services.
  - Other parties you authorize, access, or authenticate.

### **Legal Obligations**

We may share any Personal Data that we collect with third parties in conjunction with any of the activities set forth under “Meeting Legal Requirements and Enforcing Legal Terms” in the “Our Commercial or Business Purposes for Collecting Personal Data” section above.

### Business Transfers

All of your Personal Data that we collect may be transferred to a third party if we undergo a merger, acquisition, bankruptcy or other transaction in which that third party assumes control of our business (in whole or in part). Should one of these events occur, we will make reasonable efforts to notify you before your information becomes subject to different privacy and security policies and practices.

### Data that is Not Personal Data

We may create aggregated, de-identified or anonymized data from the Personal Data we collect, including by removing information that makes the data personally identifiable to a particular user. We may use such aggregated, de-identified or anonymized data and share it with third parties for our lawful business purposes, including to analyze, build and improve the Services and promote our business, provided that we will not share such data in a manner that could identify you.

### Tracking Tools, Advertising and Opt-Out

The Services use cookies and similar technologies such as pixel tags, web beacons, clear GIFs and JavaScript (collectively, “Cookies”) to enable our servers to recognize your web browser, tell us how and when you visit and use our Services, analyze trends, learn about our user base and operate and improve our Services. We may also supplement the information we collect from you with information received from third parties, including third parties that have placed their own Cookies on your device(s). Please note that because of our use of Cookies, the Services do not support “Do Not Track” requests sent from a browser at this time.

We use the following types of Cookies:

- Essential Cookies. Essential Cookies are required for providing you with features or services that you have requested. For example, certain Cookies enable you to log into secure areas of our Services. Disabling these Cookies may make certain features and services unavailable.
- Functional Cookies. Functional Cookies are used to record your choices and settings regarding our Services, maintain your preferences over time and recognize you when you return to our Services. These Cookies help us to personalize our content for you, greet you by name and remember your preferences (for example, your choice of language or region).
- Performance/Analytical Cookies. Performance/Analytical Cookies allow us to understand how visitors use our Services. They do this by collecting information about the number of visitors to the Services, what pages visitors view on our Services and how long visitors are viewing pages on the Services. Performance/Analytical Cookies also help us measure the performance of our advertising campaigns in order to help us improve our campaigns and the Services’ content for those who engage with our advertising. For example, Google LLC (“Google”) uses cookies in connection with its Google Analytics services. Google’s ability to use and share information collected by Google Analytics about your visits to the Services is subject to the Google Analytics Terms of Use and the Google Privacy Policy. You have the option to opt-out of Google’s use of Cookies by visiting the Google advertising opt-out page

at [www.google.com/privacy\\_ads.html](http://www.google.com/privacy_ads.html) or the Google Analytics Opt-out Browser Add-on at <https://tools.google.com/dlpage/gaoptout/>.

- Retargeting/Advertising Cookies. Retargeting/Advertising Cookies collect data about your online activity and identify your interests so that we can provide advertising that we believe is relevant to you. For more information about this, please see the section below titled “Information about Interest-Based Advertisements.”

You can decide whether or not to accept Cookies through your internet browser’s settings. Most browsers have an option for turning off the Cookie feature, which will prevent your browser from accepting new Cookies, as well as (depending on the sophistication of your browser software) allow you to decide on acceptance of each new Cookie in a variety of ways. You can also delete all Cookies that are already on your device. If you do this, however, you may have to manually adjust some preferences every time you visit our website and some of the Services and functionalities may not work.

To explore what Cookie settings are available to you or to modify your preferences with respect to Cookies, you can access your Cookie management settings by clicking <https://golunapark.com/cookie-policy/>. To find out more information about Cookies generally, including information about how to manage and delete Cookies, please visit <http://www.allaboutcookies.org/> or <https://ico.org.uk/for-the-public/online/cookies/> if you are located in the European Union.

#### *Information about Interest-Based Advertisements:*

We may serve advertisements through the Services and on third party site. These advertisements may be targeted to users who fit certain general profile categories or display certain preferences or behaviors (“Interest-Based Ads”). Information for Interest-Based Ads (including Personal Data) may be provided to us by you, or derived from the usage patterns of particular users on the Services and/or services of third parties. Such information may be gathered through tracking users’ activities across time and unaffiliated properties, including when you leave the Services. To accomplish this, we or our service providers may deliver Cookies, including a file (known as a “web beacon”) from an ad network to you through the Services. Web beacons allow ad networks to provide anonymized, aggregated auditing, research and reporting for us and for advertisers. Web beacons also enable ad networks to serve targeted advertisements to you when you visit other websites. Web beacons allow ad networks to view, edit or set their own Cookies on your browser, just as if you had requested a web page from their site.

#### **Data Security**

We seek to protect your Personal Data from unauthorized access, use and disclosure using appropriate physical, technical, organizational and administrative security measures based on the type of Personal Data and how we are processing that data.

#### **Data Retention**

We retain Personal Data about you for as long as necessary to provide you with our Services or to perform our business or commercial purposes for collecting your Personal Data. When establishing a retention period for specific categories of data, we consider who we collected the data from, our need for the Personal Data, why we collected the Personal Data, and the sensitivity of the Personal Data. In some cases we retain Personal Data for longer, if doing so is necessary to comply with our legal obligations, resolve disputes or collect fees owed, or is otherwise permitted or required by applicable

law, rule or regulation. We may further retain information in an anonymous or aggregated form where that information would not identify you personally. For example, we retain your device/IP data for as long as we need it to ensure that our systems are working appropriately, effectively and efficiently, and we retain your profile information and credentials for as long as you have an account with us.

### **Personal Data of Children**

As noted in the Terms of Use, we do not knowingly collect or solicit Personal Data about children under 16 years of age; if you are a child under the age 16, please do not attempt to register for or otherwise use the Services or send us any Personal Data. If we learn we have collected Personal Data from a child under 16 years of age, we will delete that information as quickly as possible. If you believe that a child under 16 years of age may have provided Personal Data to us, please contact us at [legal@lunapark.com](mailto:legal@lunapark.com).

### **State Law Privacy Rights**

#### *California Resident Rights*

Under California Civil Code Sections 1798.83-1798.84, California residents are entitled to contact us to prevent disclosure of Personal Data to third parties for such third parties' direct marketing purposes; in order to submit such a request, please contact us at [legal@lunapark.com](mailto:legal@lunapark.com).

Your browser may offer you a "Do Not Track" option, which allows you to signal to operators of websites and web applications and services that you do not wish such operators to track certain of your online activities over time and across different websites. Our Services do not support Do Not Track requests at this time. To find out more about "Do Not Track," you can visit [www.allaboutdnt.com](http://www.allaboutdnt.com).

#### *Nevada Resident Rights*

If you are a resident of Nevada, you have the right to opt-out of the sale of certain Personal Data to third parties. You can exercise this right by contacting us at [legal@lunapark.com](mailto:legal@lunapark.com) with the subject line "Nevada Do Not Sell Request" and providing us with your name. Please note that we do not currently sell your Personal Data as sales are defined in Nevada Revised Statutes Chapter 603A.

### **European Union and United Kingdom Data Subject Rights**

#### *EU and UK Residents*

If you are a resident of the European Union ("EU"), United Kingdom ("UK"), Lichtenstein, Norway or Iceland, you may have additional rights under the EU or UK General Data Protection Regulation (the "GDPR") with respect to your Personal Data, as outlined below.

For this section, we use the terms "Personal Data" and "processing" as they are defined in the GDPR, but "Personal Data" generally means information that can be used to individually identify a person, and "processing" generally covers actions that can be performed in connection with data such as collection, use, storage and disclosure. Luna Park will be the controller of your Personal Data processed in connection with the Services.

If there are any conflicts between this this section and any other provision of this Privacy Policy, the policy or portion that is more protective of Personal Data shall control to the extent of such conflict. If you have any questions about this section or whether any of the following applies to you, please contact

us at [legal@lunapark.com](mailto:legal@lunapark.com). Note that we may also process Personal Data of our customers' end users or employees in connection with our provision of certain services to customers, in which case we are the processor of Personal Data. If we are the processor of your Personal Data (i.e., not the controller), please contact the controller party in the first instance to address your rights with respect to such data.

### Personal Data We Collect

The "Categories of Personal Data We Collect" section above details the Personal Data that we collect from you.

### Personal Data Use and Processing Grounds

The "Our Commercial or Business Purposes for Collecting Personal Data" section above explains how we use your Personal Data.

We will only process your Personal Data if we have a lawful basis for doing so. Lawful bases for processing include consent, contractual necessity and our "legitimate interests" or the legitimate interest of others, as further described below.

- Contractual Necessity: We process the following categories of Personal Data as a matter of "contractual necessity", meaning that we need to process the data to perform under our Terms of Use with you, which enables us to provide you with the Services. When we process data due to contractual necessity, failure to provide such Personal Data will result in your inability to use some or all portions of the Services that require such data.
- Legitimate Interest: We process the following categories of Personal Data when we believe it furthers the legitimate interest of us or third parties:
  - Profile or Contact Data
  - Device/IP Data
  - Web Analytics
  - Productivity Platform Data
  - Consumer Demographic Data
  - Geolocation Data
  - Photos, Videos and Recordings
  - Inferences Drawn from Other Personal Data Collected
  - Other Identifying Information that You Voluntarily Choose to Provide
  - We may also de-identify or anonymize Personal Data to further our legitimate interests.

Examples of these legitimate interests include (as described in more detail above):

- Providing, customizing and improving the Services.
  - Marketing the Services.
  - Corresponding with you.
  - Meeting legal requirements and enforcing legal terms.
  - Completing corporate transactions.
- Consent: In some cases, we process Personal Data based on the consent you expressly grant to us at the time we collect such data. When we process Personal Data based on your consent, it will be expressly indicated to you at the point and time of collection.



- **Other Processing Grounds:** From time to time we may also need to process Personal Data to comply with a legal obligation, if it is necessary to protect the vital interests of you or other data subjects, or if it is necessary for a task carried out in the public interest.

### Sharing Personal Data

The “How We Share Your Personal Data” section above details how we share your Personal Data with third parties.

### EU Data Subject Rights

You have certain rights with respect to your Personal Data, including those set forth below. For more information about these rights, or to submit a request, please email us at [legal@lunapark.com](mailto:legal@lunapark.com). Please note that in some circumstances, we may not be able to fully comply with your request, such as if it is frivolous or extremely impractical, if it jeopardizes the rights of others, or if it is not required by law, but in those circumstances, we will still respond to notify you of such a decision. In some cases, we may also need you to provide us with additional information, which may include Personal Data, if necessary to verify your identity and the nature of your request.

- **Access:** You can request more information about the Personal Data we hold about you and request a copy of such Personal Data.
- **Rectification:** If you believe that any Personal Data we are holding about you is incorrect or incomplete, you can request that we correct or supplement such data.
- **Erasure:** You can request that we erase some or all of your Personal Data from our systems.
- **Withdrawal of Consent:** If we are processing your Personal Data based on your consent (as indicated at the time of collection of such data), you have the right to withdraw your consent at any time. Please note, however, that if you exercise this right, you may have to then provide express consent on a case-by-case basis for the use or disclosure of certain of your Personal Data, if such use or disclosure is necessary to enable you to utilize some or all of our Services.
- **Portability:** You can ask for a copy of your Personal Data in a machine-readable format. You can also request that we transmit the data to another controller where technically feasible.
- **Objection:** You can contact us to let us know that you object to the further use or disclosure of your Personal Data for certain purposes, such as for direct marketing purposes.
- **Restriction of Processing:** You can ask us to restrict further processing of your Personal Data.
- **Right to File Complaint:** You have the right to lodge a complaint about Luna Park’s practices with respect to your Personal Data with the supervisory authority of your country or EU Member State. A list of Supervisory Authorities is available here: [https://edpb.europa.eu/about-edpb/board/members\\_en](https://edpb.europa.eu/about-edpb/board/members_en).

### Transfers of Personal Data

The Services are hosted and operated in the United States (“U.S.”) through Luna Park and its service providers, and if you do not reside in the U.S., laws in the U.S. may differ from the laws where you reside. By using the Services, you acknowledge that any Personal Data about you, regardless of whether provided by you or obtained from a third party, is being provided to Luna Park in the U.S. and will be hosted on U.S. servers, and you authorize Luna Park to transfer, store and process your information to and in the U.S., and possibly other countries. In some circumstances, your Personal Data may be transferred to the U.S. pursuant to a data processing agreement incorporating standard data protection clauses.

**Contact Information:**

If you have any questions or comments about this Privacy Policy, the ways in which we collect and use your Personal Data or your choices and rights regarding such collection and use, please do not hesitate to contact us at:

- Email us at: [legal@lunapark.com](mailto:legal@lunapark.com)
- Narvii, Inc., 224 W. 35<sup>th</sup> St., Suite 1208 New York, NY 10001

If you are located in the EU or UK, you may use the following information to contact **our Data Protection Officer** and our EU or UK-Based Member Representative:

- UK Member Representative
  - GDPR Local Ltd.
  - Adam Brogden
  - [contact@gdprlocal.com](mailto:contact@gdprlocal.com)
  - Tel +44 1772 217800
  - 1st Floor Front Suite, 27-29 North Street, Brighton England BN1 1EB
- EU Member Representative
  - Instant EU GDPR Representative Ltd.
  - Adam Brogden
  - [contact@gdprlocal.com](mailto:contact@gdprlocal.com)
  - Tel +35315549700
  - INSTANT EU GDPR REPRESENTATIVE LTD, Office 2, 12A Lower Main Street, Lucan Co. Dublin, K78 X5P8, Ireland