

# PRIVACY POLICY

## Introduction

BLUEARK Inc., (“BLUEARK,” “we” or “us”) respect the rights of our online users (“users” or “you”) and our obligations regarding your privacy and personal information, and we provide this Privacy Policy to help you understand how we collect, use, share, store, and disclose your information we obtain when you are using BLUEARK’s mobile games (“BLUEARK Games”) and related services, including, without limitation, the use of BLUEARK Games, participation in online communities for BLUEARK Games or social network services offered or BLUEARK branded websites (collectively, the “BLUEARK Service”).

THIS IS A LEGALLY BINDING AGREEMENT BETWEEN YOU AND BLUEARK. BY DOWNLOADING AND/OR INSTALLING BLUEARK GAMES, ACCESSING AND/OR USING THE BLUEARK SERVICE, YOU ACCEPT AND AGREE TO BE BOUND BY THIS PRIVACY POLICY. This Privacy Policy applies to any person or entity that uses the BLUEARK Service, except to a resident of the Republic of Korea. BLUEARK may amend, at our discretion, any portion of this Privacy Policy at any time by posting or displaying the amended Privacy Policy within and/or on BLUEARK Games and BLUEARK Service. You will be deemed to have accepted such amendments by continuing to use the BLUEARK Service. Except as otherwise stated, any such amendment will be automatically effective after they are initially posted.

## 1 Information We May Collect

### 1.1 Information Received Through Your Social Networking Service Account.

When you access the BLUEARK Service using a third party social networking service (“SNS”), such as Facebook or Google+, you allow us to access and/or collect certain information from your SNS profile/account as permitted by the terms of the SNS Platform and your privacy settings thereon. The information you allow us to access varies depending upon the BLUEARK Service you use as well as the terms of the SNS Platform and your privacy settings thereon. For example, BLUEARK may access and/or collect some or all of the following information from your SNS profile/account when you use or connect to the BLUEARK Service through your SNS account:

- Your first and last name
- Your profile picture or its URL
- Your user ID number, which is linked to publicly available information such as name and profile photo
- The login e-mail you provided to that SNS when you registered

BLUEARK may also access and/or collect some or all of the following information from your SNS profile/account when you use or connect to the BLUEARK service through your SNS account:

- Your age or date of birth
- Your gender
- Your physical location and that of your access devices
- Other information about the hardware you may own
- The user ID numbers and other public data of your friends
- Your favorite websites and fan pages.

By using the BLUEARK Service through your SNS account, you are authorizing BLUEARK to collect, store, and use your SNS information in accordance with this Privacy Policy as well as with the terms of the SNS Platform and your privacy settings thereon.

### 1.2. Other Information Collected by the BLUEARK Service

The BLUEARK Service will also record game play information including, without limitation, your high scores or game session duration. Any time you access the BLUEARK Service, we may also collect aggregate information including, without limitation:

- Internet protocol addresses
- Browser type
- Browser language
- Referring/exit pages and URLs
- Platform type
- Number of clicks
- Domain names
- Landing pages
- Pages viewed and the order of those pages
- The amount of time spent on particular pages
- The date and time of any of the activity listed above

BLUEARK uses the game play information and aggregate information to better tailor the BLUEARK Service to your interests, to provide you more efficient customer support, and to overall enhance the BLUEARK Service.

### 1.3 Information You Provide to Us Directly

When you use any of the BLUEARK Service (including through a SNS) we may collect the following information you provide to us directly:

- **Registration Information:** We strongly encourage you to create a BLUEARK Games Account that enables you to receive customer support services with ease and enjoy various features of the BLUEARK Service. When you create a Game Account, we will collect and store any registration information you share with us, such as an e-mail address or password (the "Registration Information").
- **Profile Information:** You may have the option of providing additional information about yourself, including a profile photo, user name, gender, e-mail address, birthday, and your phone number (collectively, the "Profile Information"), to create your user profile in BLUEARK Games and BLUEARK Service. Please keep in mind that your Profile Information may be publicly viewable by other users depending upon your privacy settings. You may control the visibility of most of the Profile Information you share with users at any time.
- **Public Posting:** Some of BLUEARK Games and/or BLUEARK Service may allow you to interact with other users and/or post, share, communicate with, or otherwise transmit content publicly, such as by participating in player forums, message boards, news feeds, status updates, sending messages or invitations to other users, chatting with other users, and/or posting photos (collectively, "Public Postings"). We may collect and store archives of such Public Postings on BLUEARK's servers, and all Public Postings are subject to this Privacy Policy.
- **Customer Support Correspondence:** When you ask our customer support team for assistance, we may collect and store from you your contact information as well as your payment information regarding the purchase of digital items of BLUEARK Games to the extent reasonably necessary to provide customer support.
- **Promotional Events:** We may offer you the opportunity to participate in promotional events regarding BLUEARK Games through BLUEARK Games, BLUEARK Service, or third-party websites or platforms. If you choose to participate in such promotional events, we may collect and store the information you provide in connection with your participation in the event, such as your e-mail address or phone number, and we will use and/or disclose that information in accordance with this Privacy Policy unless stated otherwise. We may use information you provide to contact you for winner notification, prize delivery confirmation, or other related purposes. Your entry in the promotional event

may also result in your being added to our mailing lists as well as those of our promotional partners associated with such an event. The acceptance of a prize may require you to allow us to post publicly some of your information within or on BLUEARK Games and BLUEARK Service.

- Telephone Number, Technical & Usage Information Collected Through Automated Means: When you access and/or use the BLUEARK Service, we may collect
  - (a) your telephone number (we collect the telephone number through automated means only if you attempt to create a Game Account and you are an Android phone user; if you are an iOS user, we will not collect your telephone number unless your identity is verified in a reasonable way);
  - (b) certain technical information about your mobile device, including MAC Address, IP Address and mobile device ID (except for iPhone's unique identifier, "UDID"); and
  - (c) usage statistics about your interactions with the BLUEARK Service.

Such information and usage data is collected through the use of server log files and/or tracking technologies. We may use "cookies" and other technologies such as pixel tags and web beacons, clear GIFs on certain of our services, games, advertising and web pages to analyze your use of our services, games, advertising, and web pages to customize and/or improve our services, games, advertising, and web pages, measure promotional effectiveness, and promote trust and safety. E-mails and other electronic communications we send to you may contain code that enables us to track your usage of the communications, including whether the communication was opened and/or what links were followed (if any). You are always free to decline our cookies if your browser or device permits, although doing so may interfere with your use of some of our services, games, advertising, and web pages. Please note that certain features of BLUEARK Service, advertising, and web pages will not be available once cookies are declined.

## 2. How We Use the Information We Collect

BLUEARK may use the information we collect through your use of the BLUEARK Service for providing enhanced game services and promotional information regarding BLUEARK Games. For example, we may use the information we collect in any of the following ways:

- Creating your Game Account and managing the account information;
- Informing you of (a) products, new products, services, features, promotions, enhancements, and updates regarding the BLUEARK Service and (b) updates to the BLUEARK Policy;
- Promoting and facilitating your use of the BLUEARK Service, including targeted advertising and affiliate marketing;
- Marketing BLUEARK Games to you, including sending you offers, promotion information, newsletters, local or push notifications, e-mail campaigns, and communications regarding new, improved or existing BLUEARK Games;
- Providing customer support and responding to user inquiries;
- Fulfilling your request and/or order for BLUEARK Games and our obligations under the BLUEARK Policy;
- Enabling user-to-user communication and interaction;
- Soliciting your input and feedback to improve user experience;
- Monitoring the technical functioning of the BLUEARK Service;
- Developing new and/or improved games, products, services, or offerings;
- Analyzing market trends and user traffic;
- Troubleshooting errors or issues with any of the BLUEARK Service; and
- Complying with applicable laws, regulations, or administrative orders.

Also, BLUEARK may combine your information in an attempt to provide you with a better user experience, to improve the quality and value of the BLUEARK Service and to analyze how the BLUEARK Service is used.

## 3. Sharing of Your Information

We may share your information with certain third parties in the following circumstances:

- **Third Party Service Providers:** We may provide your information with third party companies that perform services on our behalf, including, without limitation, operation of third party platforms, data analysis, marketing services, promotional events, e-mail campaigns, hosting services, and customer service or support. Such third party companies may access your personal information, but are required to use it solely as directed by us for performing requested services.

If you wish to no longer have your personal information used by the Business Partners for their marketing purposes, you may contact us at [contact@blueark.com](mailto:contact@blueark.com) and we will facilitate your request to Business Partners.

- **Affiliate Marketing:** We may share your information with third party companies for affiliate marketing associated with the promotion of BLUEARK Games if such disclosure is reasonably necessary to conduct, administer, or fulfill such a marketing activity. We will take commercially reasonable efforts to ensure that such third party companies use your information shared by us in compliance with any applicable laws or regulation and solely for the above-mentioned purposes.

If you wish to no longer have your personal information used by third party companies for their market purposes, you may contact us at [contact@blueark.com](mailto:contact@blueark.com) and we will facilitate your request to the Business Partners.

- **Advertising of Third Party Products/Services:** We will not actively share personal information with third party advertisers for their direct marketing purposes unless we obtain your consent. We may share (a) aggregated information (information about you and other BLUEARK users collectively, but not specifically identifiable to you); (b) anonymous information; and (c) certain technical information (including IP Addresses, MAC Addresses for mobile devices, and mobile device IDs) to develop and deliver targeted advertising in the third party advertiser's website or application. We may also allow advertisers to collect these and similar types of information within the BLUEARK Service and they may share it with us and/or use it for advertising. Advertisers may collect this information through the use of a variety of tracking technologies, including, without limitation, browser cookies and web beacons. The information collected may be used to offer you targeted ad-selection and delivery in order to personalize your user experience by ensuring that advertisements for products and services you see will appeal to you, a practice known as behavioral advertising, and to undertake web analytics (i.e. to analyze traffic and other end user activity to improve your experience).

- **Offer Walls:** BLUEARK Games or their purchase pages may display an "offer wall" that may be hosted by a third party offer wall provider. The offer wall allows third party advertisers to provide virtual currency to users in exchange for interacting with an advertisement or for completing a marketing offer that may include signing up for an account with one of those advertisers. These offers are not controlled by or made by BLUEARK. These offers may be displayed to you based on certain technical information, such as your geographic area or anonymous demographic information. After clicking on one of these advertisements, you will no longer be on a site hosted by BLUEARK. To properly credit user accounts and to prevent fraud, a unique identifier will be shared with the offer wall provider. This identifier is used to ensure proper crediting of your account, prevent fraud or duplicate offers, and to resolve any customer service inquiries that may arise.

- **Safety, Security and Compliance with Law:** We may disclose your information to certain third parties if we reasonably believe that

- (a) we are required to disclose the information in response to legal process (e.g., a court order, search warrant or subpoena);

- (b) we are required to satisfy any applicable laws, regulations, or administrative orders;

- (c) there is an emergency that poses a threat to the safety conditions of you, another person, or the general public; and

- (d) such disclosure is reasonably necessary to protect the rights or property of BLUEARK.

- **Sale or Merger:** In the event that BLUEARK undergoes a business transition, such as a merger, acquisition by another company, or sale of all or the substantiation portion of its assets, we may transfer all of your information you have provided, including personal information, to the successor organization in such a transition, if permitted by and done in accordance with applicable law. If

material changes to BLUEARK's privacy practices will occur as a result of the business transition, we will notify you of the business transition prior to transferring your personal information.

## **4 Changing Your Information**

### **4.1 Information We Receive from SNS**

To manage the information BLUEARK receives about you from an SNS, you should change your privacy settings on the SNS in accordance with any applicable policy of the SNS.

### **4.2 Profile Information**

You may change or update the Profile Information by logging into BLUEARK Games or BLUEARK Service.

## **5 Links**

The BLUEARK Service may contain links to other websites. The fact that the BLUEARK Service links to a website or presents a banner ad or other type of advertisement does not mean that BLUEARK endorses or authorizes that third party, nor is it a representation of our affiliation with that third party. BLUEARK is in no way responsible for the privacy policies of these other websites to which you choose to access from the BLUEARK Service. It is your responsibility to read the privacy policies of these other websites when exiting the BLUEARK Service.

## **6 Security of Your Information**

BLUEARK takes commercially reasonable security measures to protect against unauthorized access to or unauthorized alteration, disclosure, or destruction of sensitive data that you share and we collect and store. Despite our efforts to enhance a security level of the BLUEARK Service, we cannot guarantee that unauthorized access, hacking, data loss, or other breaches will never occur. We strongly encourage you not to share your account password with any third parties for any reasons. Also please note that email and messaging systems are not considered secure, so we discourage you from sending us personal information through these mediums. If you have questions regarding the security measures of the BLUEARK Service, please contact us at [contact@blueark.com](mailto:contact@blueark.com).

## **7 Our Policy Concerning Children**

We do not knowingly collect any personal information from children under the age of 13. Children under the age of 13 should not use the BLUEARK Service at any time. If we learn that we have inadvertently gathered personal information from such children, we will take reasonable measures to promptly erase such information from our records.

## **8 Your California Privacy Rights**

California residents have the right to receive (a) information identifying any third party company to whom BLUEARK may have disclosed (within the previous calendar year) his/her personal information for that company's direct marketing purposes; and (b) a description of the categories of personal information disclosed. If you are a California resident and wish to obtain such information, please send a request email to [contact@blueark.com](mailto:contact@blueark.com).

## **9 Questions**

If you have any questions regarding our Privacy Policy and/or practices, please feel free to contact us by sending an email to [contact@blueark.com](mailto:contact@blueark.com).