

Kin Gaming Challenge Privacy Policy
Last updated: April 18, 2019

This is the privacy policy (“**Privacy Policy**”) that governs how we, Kin Foundation (“**Kin**”, “**we**”, “**our**” or “**us**”), use Personal Data (defined below) that we collect, receive and store about individuals in connection with the Kin Gaming Challenge (being a Kin Developer Program using the Kin SDK for Unity) found at: <https://www.kin.org/developers/unityapply/gaming-challenge/> (“**Program**”) “**you**” is the developer which wishes to submit your application to the Program and become a participant therein (“**Participant**”).

We do not ourselves host any of the information you provide to us – all hosting is done by third party service providers that we engage. This means that data you provide to us or that we collect from you (including any Personal Data, as defined below) – as further described in this Privacy Policy – is hosted with such third party service providers on servers that they own or control. Regardless of where such third party service providers are located (and some are located in the US), their servers may be located anywhere in the world (including the US). Your data may even be replicated across multiple servers located in multiple countries. Please be aware that you are consenting to your data being transferred to various third party service providers around the world (including the US).

1. **Introduction.** We have implemented this Privacy Policy because your privacy, and the privacy of other Participants, is important to us. This Privacy Policy explains our online information practices and the choices you can make about the way your Personal Data is collected and used in connection with the Program. “**Personal Data**” means any information that may be used, either alone or in combination with other information, to personally identify an individual, including, but not limited to, a first and last name, a personal profile, an email address, a home or other physical address, or other contact information.
2. **Terms and Conditions of the Program.** This Privacy Policy forms part of the Program terms and conditions found at: <https://www.kin.org/developers/unityapply/unitytos.pdf>.
3. **Modification.** We reserve the right, at our discretion, to change this Privacy Policy at any time. Such change will be effective ten (10) days following posting of the revised Privacy Policy on <https://www.kin.org/developers/unityapply/unitypp.pdf> and your continued participation in the Program thereafter means that you accept those changes.
4. **What Personal Data We Collect, How We Collect It, Why We Collect It and How it is Used.** We receive and/or collect Personal Data from you in the following ways:
 - 4.1. **When You Complete an Online Application Form:** In order to enter into the Program we ask that you complete and submit an online application form. In completing your online application form, you will be asked to provide us with the following mandatory information such as your name and email address, the name of your idea and app and the name of your company (if applicable).
 - *We collect and use this Personal Data for the following purposes:* (i) to allow you to participate in the Program; (ii) to perform/execute the Program terms and conditions available at: <https://www.kin.org/developers/unityapply/unitytos.pdf>; (iii) to contact you in connection with the Program; and (iv) to identify and authenticate your access to the Program.

- *Legal Basis for Processing (GDPR only):*
 - **Performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract** (This means we need the information to perform our contract with you): When you apply for the Program, we use this information to ascertain eligibility and entry into the Program.
 - **Legitimate interest** (*This means we have a legitimate interest that does not outweigh your privacy rights. When we collect and process information based on our legitimate interests, we consider how we can accomplish what we need to in a way that is the least obtrusive on your privacy*): To facilitate your access to and participation in the Program.

4.2. When You Submit a ‘Contact Us’ Request. If you contact us by sending us an email to an email address that we display, you will be required to provide us with your name and email address, if relevant to your inquiry, we will also collect and, if relevant to the inquiry, information about how you access and use the Program.

- *We collect and use this Personal Data for the following purposes:* (i) to process and answer questions; (ii) to provide support (e.g., to solve problems and/or other issues); and (iii) to customize your experience.
- *Legal Basis for Processing (GDPR only):*
 - **Performance of a contract to which the data subject is party to or in order to take steps at the request of the data subject prior to entering into a contract:** When you contact us regarding the support or administration of the Program, or with any other inquiry regarding the Program, we use this information to respond to your inquiry and provide you with support with respect to the Program.
 - **Legitimate Interest:** We use this information to respond to your inquiries and provide you with information that you request.

5. The Way We Share Personal Information.

- 5.1. We transfer your Personal Data to our local or foreign affiliated companies for the purpose of storing or processing such information on our behalf. Such information may be transferred to the USA, Canada or Israel. We ensure transfers within the Kin group will be covered by an agreement entered into by members of the Kin group which contractually obliges each member to ensure that Personal Data receives an adequate and consistent level of protection wherever it is transferred to.
- 5.2. We may share your Personal Data with our third party service providers and partners, but only to assist us with our business operations and/or the administration of the Program. We will obtain contractual commitments or other assurances from them to protect your Personal Data. Some of these assurances are well recognized certification schemes like the EU - US Privacy Shield for the protection of Personal Data transferred from within the EU to the United States.
- 5.3. We may disclose your Personal Data if we have a good faith belief that disclosure of such information is helpful or reasonably necessary to: (i) comply with any applicable law, regulation, legal process or governmental request, and requests of law enforcement, regulatory and other governmental agencies or if required to do so by court order, including in order to

detect, prevent, or otherwise address fraud or security issues; or protect against harm to the rights, property or safety of Kin, our users, yourself or the public.

- 5.4. If, in the future, we sell or transfer some or all of our business or assets to a third party, we will (to the minimum extent required) disclose information to a potential or actual third party purchaser of our business or assets. In the event that we are acquired by or merged with a third party entity, or in the event of bankruptcy or a comparable event, we reserve the right to transfer or assign Personal Data in connection with the foregoing events
- 5.5. Where you have provided your consent to us sharing the Personal Data (e.g., where you provide us with marketing consents or opt-in to optional additional services or functionality).
- 5.6. Access to Personal Data of EU residents from Israel is covered by the European Commission's Adequacy Decision regarding Israel. You can read more here: [click here](#).
6. **Choice.** At all times, you may choose whether or not to provide or disclose Personal Data.
7. **Access/Accuracy.** To the extent that you do provide us with Personal Data, we wish to maintain accurate Personal Data. If you would like to delete or correct any of your Personal Data that we may be storing, you may submit an access request by sending an email to: privacy@kin.org. Your email should include adequate details of your request (for example: the name of the team or organization).
8. **Children's Privacy.** The Program is not structured to attract children under the age of 18 years. Accordingly, we do not intend to collect Personal Data from anyone we know to be under 18 years. If we learn that we have collected Personal Data from a child under 18 years, we will delete that information as quickly as possible. If you believe that we might have any such information, please contact us at: privacy@kin.org.
9. **Security.** The security of Personal Data is important to us. We follow generally accepted industry standards, including the use of appropriate administrative, physical and technical safeguards, to protect the Personal Data submitted to us. However, no method of transmission over the Internet, or method of electronic storage, is 100% secure. Therefore, while we strive to use reasonable acceptable means to protect your Personal Data, we cannot guarantee its absolute security or confidentiality. If you have any questions about security on the Program, you can contact us at: privacy@kin.org.
10. **Merger, Sale or Bankruptcy.** In the event that we are acquired by or merged with a third party entity, or in the event of bankruptcy or a comparable event, or otherwise involved in a change of control, we reserve the right to transfer or assign Personal Data in connection with the foregoing events.
11. **Deletion of Content from California Residents.** If you are a California resident under the age of 18 and a registered user, California Business and Professions Code Section 22581 permits you to remove content or Personal Data you have publicly posted. If you wish to remove such content or Personal Data and you specify which content or Personal Data you wish to be removed, we will do so in accordance with applicable law. To make such a request, please send an email to privacy@kin.org. Please be aware that after removal you will not be able to restore removed content. In addition, such removal does not ensure complete or comprehensive removal of the content or Personal Data you have posted and that there may be circumstances in which the law does not require us to enable removal of content.

12. **Legal Obligation.** We may need to use, store or otherwise process your Personal Information to comply with a law enforcement preservation request, subpoena, or other legal process or to protect the rights of other participants.
13. **EU Participants' Rights.** In addition to other rights detailed in the policy (such as requesting deletion, correction or updating of your personal information), EU citizens have certain rights regarding Your Personal Information, including:
 - 13.1. *Right to Object or Restrict Processing.* You have the right to object to or restrict our use of your Personal Data for direct marketing purposes or under certain circumstances when the legal bases for using your information is based upon our legitimate interest. If you wish to object to our use of your information, you can send a request to delete this information by [clicking here](#).
 - 13.2. *Right to Erasure.* You have the right to have your personal data erased and no longer processed. You can send us a request to delete your application by [clicking here](#). Upon receiving the request, we will make a reasonable effort to delete your Personal Data from our internal network within a reasonable period of time as long as we are not obligated to preserve your information due to things like law enforcement preservation requests, subpoenas, investigations, litigation, or otherwise meet any of our other legal obligations. We may also retain depersonalized information after deletion.
 - 13.3. *Data Portability.* You can exercise your right to export your personal data by [clicking here](#).
 - 13.4. *File a Complaint.* You have the right to complain to the data protection authority located in your Member State. To find contact details, [click here](#).
 - 13.5. *Right to Object to Profiling.* You have the right to object to profiling.
 - 13.6. *The Right to Withdraw Consent.* The right to withdraw your consent. Please note that there may be circumstances in which we are entitled to continue processing your data, in particular if the processing is required to meet our legal and regulatory obligations. Withdrawing your consent will not apply to any processing conducted in reliance on lawful processing bases other than consent.
 - 13.7. *The Right to Request Details of The Basis of Data Transfers Outside of the EEA.* You also have a right to request details of the basis on which your Personal Data is transferred outside the European Economic Area, but you acknowledge that data transfer agreements may need to be partially redacted for reasons of commercial confidentiality.
14. **Commitment.** We are committed to protecting your privacy. Protecting your privacy online is an evolving area, and we are constantly evolving our Program to meet these demands. If you have any comments or questions regarding our Privacy Policy, or your Personal Data that we may be storing and using, please contact us at privacy@kin.org.