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## PRIVACY AND COOKIES POLICY

Welcome to XLA!

At XLA, we take your privacy and trust very seriously. This privacy and cookies policy ("Privacy Policy") is intended to outline how any personal data collected from you via <https://x.la> (the "Site") will be protected, used, stored and processed by us to communicate with you and to deliver you excellent service.

Please select from the different sections of this privacy policy to understand our practices, your rights and our promise to safeguard your information.

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### **1. Who We Are?**

1.1 XLA is the data controller in respect of your personal data. This means that we are responsible for deciding how and why we hold and use your personal data.

1.2 XLA is owned and operated by Xsolla (USA), Inc., a California Corporation located at 15260 Ventura Boulevard, Suite 2230, Sherman Oaks, California, 91403 USA. Questions, comments and requests regarding this privacy policy are welcomed and should be addressed to XLA at [support@x.la](mailto:support@x.la) with the subject: "XLA Privacy Policy".

### **2. What Is This Privacy Policy About?**

2.1 This Privacy Policy explains how we collect, use, share, transfer, and "sell" (for California residents) your personal data when you use the services provided on our site or interact with us; and your data privacy rights.

2.2 Personal data is any information about you by which you can be identified or be identifiable.

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This can include information such as: your name, email address, mobile number; information about your device (such as the IP address, which is a numerical code to identify your device that can provide information about the country, region or city where you are based); information relating to how you use and interact with our sites and services.

2.3 When we refer to “personal data” in this policy, we are also referencing “personal information,” as it is defined under California law.

2.4 Sometimes our sites and apps may contain links to sites and services that are not part of XLA offerings. These sites and services have their own privacy policies. If you follow a link to these non-XLA sites and apps, you should read the privacy policy shown on their site.

### **3. The Types of Personal Data We Collect About You**

3.1 We will only collect your personal data in line with applicable laws. We collect your personal data in various ways:

- A. directly from you, when you subscribe for our news and (or) services and when you browse our site (such as address, email, name, some limited data from your social media profile when you authorize via social networks);
- B. directly from you, when you provide us with your personal data;
- C. personal data we generate about you (such as IP address, your geolocation data, information on how you interact with our services, your browsing history of the content you have visited on our site, including how you were referred to our site via other websites, details of your computer, mobile or other devices, for example, the unique device ID, unique vendor or advertising ID and browsers used to access our content);
- D. personal data we collect from third parties, e.g. personal data that helps us to combat fraud or which we collect, with your permission, when you interact with your social media accounts.

### **4. Information We Receive From Other Sources About You**

4.1 We may work with third parties, for example, business partners, sub-contractors for technical services, advertising networks, analytics providers and search information providers. If we receive information about you from them, we will always seek assurances that they are providing information to us in accordance with data protection laws and that they are

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transparent with you that they may share your data with us. We may use this information to update our records about you to keep them accurate.

## **5. How We Collect Personal Data?**

5.1 We collect personal data when you:

- A. subscribe to XLA;
- B. fill the forms on the Site's pages and subpages;
- C. sign up for marketing communications;
- D. use mobile devices to access our content;
- E. access and interact with our site;
- F. through cookies and other similar technology (Please see Section 14 "**What Are Cookies? Why Do We Use Them?**" and Section 15 "**What Are Tracking Pixels? Why Do We Use Them?**")
- G. when you contact us via email, social media, our site or when you mention us on social media.

## **6. What Are The Legal Basis And Purposes For The Processing?**

6.1 **Legitimate Interests.** We process your information for our legitimate interests while applying appropriate safeguards that protect your privacy. We will not rent or sell personal information to anyone. Examples of when we rely on our legitimate interests to use your personal data include:

- A. to analyze what content has been viewed on our Site, so that we can understand how it is used and improve our content;
- B. To analyze the user's interest in our services and to improve our services;
- C. to keep you informed about XLA, e.g. to tell you about new features, solicit your feedback, and just keep you up to date with what's going on with XLA;
- D. for internal administrative purposes related to our services - such as our accounting and records;
- E. to inform you of any changes to our services, such as updates to our terms and conditions;

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- F. to collect and log IP addresses to improve and manage our site;
- G. enabling you to share our content with others using social media or email;
- H. contacting you directly via social media or email if you send us emails, enter competitions or engage with XLA on social media or contact us;
- I. when we respond to your queries and to resolve complaints;
- J. for security and fraud prevention, and to ensure that our sites and apps are safe and secure and used in line with our Terms of use.

6.2 **Consent.** Where consent is required for our use of your personal information, by ticking the appropriate consent box or clicking the “agree”, “submit”, “subscribe” or otherwise communicating your consent (for example, by email), you consent to our use of that personal information for the purposes covered by the specific consent that you have given. Examples of where we ask for your consent include:

- A. to send marketing emails to you, when we have asked your permission. You can withdraw your consent to receiving these emails at any time by clicking on the “unsubscribe” link at the bottom of the email;
- B. to place non-essential cookies, or other similar technology. Where we rely on cookies to collect any personal data please see section “**What Are Cookies? Why Do We Use Them?**” below for more information and how to manage your cookie please send an email to [support@x.la](mailto:support@x.la) with the object: “XLA Data Subject Request”.

6.3 **Compliance with law.** In some cases, we may have a legal obligation to use or keep your personal data.

## 7. What Are Our Security Standards?

7.1 We endeavor to protect your data by storing it on secure servers and by using technical and organizational security measures to safeguard your personal data and to reduce the risk of loss, misuse, and unauthorized access, disclosure, and alteration. Some of the safeguards we use are firewalls and data encryption, physical access controls to our data centers, and information access controls. Please understand, however, that no system is perfect or can guarantee that unauthorized access or theft will not occur.

7.2 Transmission of information via the Internet is not completely secure. We will do our best to protect your personal information but we cannot guarantee the security of data transmitted via the Website; any transmission is therefore at your own risk. Once we have received your personal information, we will use strict procedures and security features (as mentioned above) to try and prevent unauthorized access.

## 8. Who Will We Share Your Personal Data With?

8.1 We may share your data with the following categories of selected third parties in accordance with this privacy policy:

- A. service providers (for example, IT services) that provide services on our behalf;
- B. analytics and search engine providers that assist us in the improvement and optimization of the Site;
- C. law enforcement or regulatory agencies, or authorized third parties, in response to a verified request relating to a criminal investigation or alleged illegal activity or any other activity through the site that may expose us and/or the user or any third party to legal risks or liability;

8.2 These third parties who may receive your data will process that data for the purposes specified above and in accordance with applicable law. XLA will retain a list of the third parties with whom data is shared, which will be available upon request.

## 9. How Long Do We Store Your Data?

9.1 We will not store your personal data for longer than we need to use it in accordance with this notice. Unless we let you know otherwise (or you request we erase your personal data), we will keep your personal data as you remain a member of XLA (for example, you regularly post your thoughts on forums or have a subscription to our news) or continue to wish to keep in touch with us.

## 10. What Are Your Rights?

10.1 You have the following rights with regard to your personal data:

- A. **Access.** You have the right to access data we hold about you. We will need you to prove your identity before we release any personal data to you.
- B. **Rectification or erasure.** You have the right to request that we rectify or delete any personal data that we hold about you (unless we have the legal right or obligation to retain it).
- C. **Restriction.** You have the right to restrict our use of personal information if the data is inaccurate, our use of the information is unlawful or if we no longer need to use the data for the purposes for which we hold it.
- D. **Change of preferences.** You can change your data processing preferences at any time. For example, if you have given your consent to direct marketing, but have changed your mind, you can opt out of receiving marketing communications by contacting us using the details provided below or clicking the “unsubscribe” link in any communication you receive.
- E. **Automated decision making.** If you have any questions in respect of our automated

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decision-making processes or the accuracy of them, please send an email to [support@x.la](mailto:support@x.la) with the object: "XLA Data Subject Request".

- F. **Data portability.** You have the right to obtain personal data we hold about you, in a structured, electronic format, and to transmit such data to another data controller, where this is (a) personal data which you have provided to us and (b) if we are processing that data on the basis of your consent (such as your marketing preference information).
- G. **Complaints.** If for any reason you are not happy with the way that we have handled your personal data, please contact us. If you are still not happy, you have the right to make a complaint to the supervisory authority.

10.2 To exercise any of the rights mentioned above, please send an email to [support@x.la](mailto:support@x.la) with the object: "XLA Data Subject Request".

## 11. What Are Your California Privacy Rights?

11.1 Under the California Consumer Privacy Act, California Civil Code Section 1798.100, if you are a resident of California you may contact us with regard to the following rights in relation to your personal data:

- A. **Right of Access:** You have a right to request access to the personal data we may hold on you for the past twelve (12) months. You may submit up to two (2) requests per year of access to your personal data.
- B. **Right to Opt-In/Opt-Out of Sale or Sharing of Personal Data:** For individuals sixteen (16) years or older, you have the right to opt-out of sale or sharing of personal data we may hold on you.
- C. **Right to Deletion:** You also have the right to ask us to delete the personal data we may hold on you or restrict how it is used. There may be exceptions to the right to deletion for specific legal reasons which, if applicable, we will set out for you in response to your request.
- D. **Right to Correction:** You also have the right to ask us to correct the personal data we may hold on you if you deem it inaccurate.
- E. **Right to Non-Retaliation:** We will not retaliate against you for exercising any of your California Consumer Privacy Act rights.

11.2 If you want to make any of these requests, please contact [support@x.la](mailto:support@x.la) with the object: "XLA California Privacy Rights". We will deal with requests for access to your personal data within forty-five (45) days for California-specific requests.

11.3 To help us respond as you expect, please specify that you are making a request under the California Consumer Privacy Act. We may need to request specific information from you to help us confirm your identity.

## **12. International Data Transfers**

12.1 XLA is based in the United States and we process and store information on servers located in the United States. We may store information on servers and equipment in other countries depending on a variety of factors, including the locations of our users and service providers. By accessing or using the site or otherwise providing information to us, you consent to the processing, transfer, and storage of information in and to the U.S. and other countries, where you may not have the same rights as you do under local law.

12.2 When we transfer the personal data of users in the EEA, UK and/or Switzerland, to our partners and subcontractors, we rely on the Standard Contractual Clauses approved by the European Commission for such transfers or other transfer mechanisms deemed 'adequate' under applicable laws.

## **13. How You Can Protect Your Child's Information?**

13.1 We do not knowingly collect information from children under the age of 18. If you become aware that your child or any child under your care has provided us with information without your consent, please contact us at [support@x.la](mailto:support@x.la).

## **14. What Are Cookies? Why Do We Use Them?**

14.1 We use certain tools, such as cookies, to collect data about your visit to the site such as device ID or unique identified, device type, computer and connection information, statistics on page views, traffic to and from the Website, referring URL, Internet Protocol ("IP") address and standard web log information.

14.2 A cookie is a small text file that is used to store information on your browser or your computer's hard drive when you visit a website. A cookie does not contain information that identifies a person, but it allows for the linking of your computer to the information provided by you on the site (such as, for example, linking your IP address and other information about your experience on the site to your preferences expressed while choosing services and purchasing products offered through the site).

14.3 Cookies are disseminated by servers and no one may gain access to information contained therein. The information stored in cookies is gathered directly and automatically by the site and is processed in an aggregate and anonymous manner.

14.4 The use of cookies and other automatic data collection tools is necessary for the proper functioning of the site and its services. However, you can block cookies by activating the setting on your browser that allows you to refuse the setting of all or some cookies. If you block all cookies (including essential cookies), XLA cannot ensure that all web pages of the site will be displayed correctly.

14.5 XLA uses the following types of cookies:

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| Cookie          | Description   | Type      | Duration   | 1st/3rd Party   | Privacy Policy       |
|-----------------|---|-----------|------------|-----------------|----------------------|
| fs-cc           | Used to store cookie consent  | Essential | 180 days   | 1 <sup>st</sup> | This one             |
| fs-cc-updated   | Used to store cookie consent  | Essential | 180 days   | 1 <sup>st</sup> | This one             |
| ga              | Used to view how you interact with website content. Please note that in order to avoid the collection of your Personal Data by Google, we have set up the tool in a manner which prevents the collection of IP addresses. Neither XLA nor Google are able to identify you and your online activity. | Analytics | 2 years    | 3 <sup>rd</sup> | <a href="#">Site</a> |
| _gid            |   |           | 24 Hours   |                 |                      |
| _gat            |   |           | 10 minutes |                 |                      |
| 1P_JAR          |   |           | 1 month    |                 |                      |
| IDE             |   |           | 2 Years    |                 |                      |
| APISID          |   |           | 2 years    |                 |                      |
| HSID            |   |           | 2 years    |                 |                      |
| NID             |   |           | 6 months   |                 |                      |
| SAPISID         |   |           | 2 years    |                 |                      |
| SIDCC           |   |           | 1 Year     |                 |                      |
| SID             |   |           | 2 years    |                 |                      |
| SSID            |   |           | 2 years    |                 |                      |
| _ga_ZGK4BYB BG3 | Used by Google Analytics to persist session state.  | Analytics | 2 years    | 3 <sup>rd</sup> | <a href="#">Site</a> |
| _ga_8GRZ4QXK 77 | Used by Google Analytics to understand the users' interaction with the Site, i.e. what was accessed, what sites or parts of the Sites the users visited previously, how many times the  | Analytics | 2 years    | 3 <sup>rd</sup> | <a href="#">Site</a> |



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|         |  |            |            |                 |                      |
|---------|--|------------|------------|-----------------|----------------------|
|         | users interacted with the Site and what portions of the Site attracted their interest. Neither XLA nor Google are able to identify you and your online activity. |            |            |                 |                      |
| __cf_bm | This cookie, set by Cloudflare, is used to support Cloudflare Bot Management.  | Functional | 30 minutes | 3 <sup>rd</sup> | <a href="#">Site</a> |

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|                         |  |           |          |                 |                      |
|-------------------------|--|-----------|----------|-----------------|----------------------|
| experiments-fingerprint | Collects user data through quiz/survey-like content. This allows the website to promote relevant products or services. | Marketing | 6 months | 3 <sup>rd</sup> | <a href="#">Site</a> |
| experiments-raw         | Collects user data through quiz/survey-like content. This allows the website to promote relevant products or services. | Marketing | 6 months | 3 <sup>rd</sup> | <a href="#">Site</a> |
| attribution_user_id     | Collects user data through quiz/survey-like content. This allows the website to promote relevant products or services. | Marketing | 1 year   | 3 <sup>rd</sup> | <a href="#">Site</a> |

## 15. What Are Tracking Pixels? Why Do We Use Them?

15.1 A tracking pixel is a small piece of code we may use to collect and share with online advertisers information on your usage of our webpages and mobile applications, such as the pages that you have visited, or the way you have interacted with them. Through the tracking pixels, your browser automatically establishes a connection with the server of an online advertiser. In this way, the online advertiser receives the information that you have accessed one of our websites or mobile apps. This allows us to ensure that we are serving ads that match your interests, when you are visiting any of the websites of the online advertiser, or a website that includes ads served by the online advertiser, and to measure the statistics of users' interaction with our site. If you are authenticated to an online advertiser using tracking pixels, e.g. by being registered and logged in to a social network, the online advertiser can assign the visit to one of our websites or the access of our mobile applications to your account. We have no influence on the extent to which the data collected through the tracking pixels is used by the online advertisers and therefore direct you to their privacy notices linked to in the table below.

| Type               | Purpose   | Products and Vendors             |  | Privacy Policy       |
|--------------------|---|----------------------------------|--|----------------------|
| <b>Advertising</b> | These tracking technologies are used to (i) provide you with more relevant and useful advertising and to limit how many times you see an ad, (ii) help us improve the effectiveness of our advertising efforts and/or (iii) display XLA advertisements when you visit third-party websites with whom we have marketing relationships. They can be shared with vendors or advertisers. | AppsFlyer                        | AppsFlyer Ltd.   | <a href="#">Site</a> |
|                    |   | Google Ads                       | Google LLC   | <a href="#">Site</a> |
|                    |   | Bing Ads (Microsoft Advertising) | Microsoft Corporation  | <a href="#">Site</a> |
|                    |   | Brave Ads                        | Brave Software Inc.  | <a href="#">Site</a> |
|                    |   | DV360                            | Google LLC   | <a href="#">Site</a> |
|                    |   | Facebook Ads (Meta)              | Meta Platforms, Inc.   | <a href="#">Site</a> |
|                    |   | LinkedIn Ads                     | LinkedIn Ireland Unlimited Company<br><br>LinkedIn Corporation | <a href="#">Site</a> |
|                    |   | Reddit Ads                       | Reddit, Inc.   | <a href="#">Site</a> |
|                    |   | AdRoll (NextRoll)                | NextRoll, Inc.   | <a href="#">Site</a> |

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|  |  |              |                             |                      |
|--|--|--------------|-----------------------------|----------------------|
|  |  | Twitter Ads  | Twitter, Inc.               | <a href="#">Site</a> |
|  |  | Twitch Ads   | Twitch Interactive, Inc.    | <a href="#">Site</a> |
|  |  | AdNow        | Renodo media LTD            | <a href="#">Site</a> |
|  |  | Amazon Ads   | Amazon.com, Inc.            | <a href="#">Site</a> |
|  |  | TikTok Ads   | TikTok Pte. Ltd.            | <a href="#">Site</a> |
|  |  | Snapchat Ads | Snap, Inc.                  | <a href="#">Site</a> |
|  |  | Spotify Ads  | Spotify USA Inc.            | <a href="#">Site</a> |
|  |  | Telegram Ads | Telegram UK Holdings Ltd    | <a href="#">Site</a> |
|  |  | Taboola      | Taboola, Inc.               | <a href="#">Site</a> |
|  |  | Outbrain     | Outbrain Inc.               | <a href="#">Site</a> |
|  |  | RTB House    | RTB House Spółka Akcyjna    | <a href="#">Site</a> |
|  |  | MyTarget     | MGL MY.COM (CYPRUS) LIMITED | <a href="#">Site</a> |

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|                                 |   |                  |                     |                      |
|---------------------------------|---|------------------|---------------------|----------------------|
|                                 |   | Criteo           | Criteo, plc         | <a href="#">Site</a> |
|                                 |   | Admitad          | Admitad GmbH        | <a href="#">Site</a> |
|                                 |   | ActiveCampaign   | ActiveCampaign, LLC | <a href="#">Site</a> |
| <b>Analytics And Statistics</b> | These tracking technologies are used to track the number and type of visits to our websites and mobile applications and its pages / screens as well as usage patterns, in order for us to ensure that all parts of our website and mobile applications are working properly. These technologies are used to provide anonymous, aggregated data on how web- and mobile-users interact with our Site. | Google Analytics | Google LLC          | <a href="#">Site</a> |

## 16. Changes To This Privacy Policy

16.1 XLA may change this privacy policy from time to time at its sole discretion. If so, XLA notifies the users of the site about these changes by a pop-up line on the website.